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ROYAL COMMISSION ON THE PUBLIC SERVICES IN INDIA.

APPENDIX

TO THE

REPORT

OF

THE COMMISSIONERS.

Volume VII.

3987

MINUTES OF EVIDENCE

RELATING TO THE

INDIAN AND PROVINCIAL CIVIL SERVICES

Taken at Nagpur from the 15th to the 20th March 1913,

WITH

APPENDICES.

Presented to both Houses of Parliament by Command of His Majesty.

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CONTENTS.

	PAGE
LIST OF WITNESSES FROM THE CENTRAL PROVINCES AND BEHAR EXAMINED BEFORE THE ROYAL COMMISSION	iii
NOTE	iv
LISTS OF QUESTIONS CIRCULATED TO WITNESSES FOR WRITTEN REPLIES	v–xxxviii
MINUTES OF EVIDENCE (*Thirty-second to Thirty-sixth Days*)	1–298
APPENDICES	299–311
INDEX	313–340

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LIST OF WITNESSES FROM THE CENTRAL PROVINCES EXAMINED BEFORE THE ROYAL COMMISSION.
(*Thirty-second to thirty-sixth days.*)

THIRTY-SECOND DAY, 15TH MARCH 1913.

	Pages
JOHN HULLAH, Esq., I.C.S.	1—36
ROBERT CURZON HENRY MOSS-KING, Esq., I.C.S., Secretary in the Finance Department	36—54

THIRTY-THIRD DAY, 17TH MARCH 1913.

HENRY JOHN STANYON, Esq., C.I.E., Bar.-at-Law, Additional Judicial Commissioner	55—78
ARTHUR EDWARD NELSON, Esq., I.C.S., Settlement Officer	79—107
KHAN BAHADUR HAFIZ MUHAMMAD WALAYATULLAH, Extra Assistant Commissioner, Amraoti	107—119
RAI BAHADUR PANDIT BISHUN DUTTA SHUKLA, B.A.	119—127

THIRTY-FOURTH DAY, 18TH MARCH 1913.

GHAZANFAR ALI KHAN, Esq., I.C.S., Deputy Commissioner, Ninar	127—153
RAGHUNATH SADASHEO THAKUR, Esq., Extra Assistant Commissioner	153—168
RAMACHANDRA WASUDEO PARANPE, Esq., Bar.-at-Law, 2nd Additional District Judge, East Berar Division, Amraoti	168—183
MORO RAJARAM DIXIT, Esq., Bar.-at-Law	183—194

THIRTY-FIFTH DAY, 19TH MARCH 1913.

FRANCIS SAMUEL ALFRED SLOCOCK, Esq., I.C.S., Inspector-General of Police	194—216
PANDIT GOVIND RAO SAHASRABUDDHY, Member of the Local Board, Linga	216—221
H. M. MALAK, Esq., Merchant	221—227
GEORGE PARIS DICK, Esq., Bar.-at-Law	228—244

THIRTY-SIXTH DAY, 20TH MARCH 1913.

R. N. MUDHOLKAR, Esq., Advocate, Judicial Commissioner's Court, Central Provinces and Berar	244—278
RAO BAHADUR VINAYEK MORESHWAR KELKAR, District Judge, 2nd grade	278—287
WAMAN RAV M. KOLHATKAR, Esq.	288—298

NOTE.

The numbering of the Questions is consecutive throughout. The sub-numbers in brackets correspond with the numbers in the printed sets of questions marked A and B, which were issued to official and non-official witnesses respectively, and which will be found on pages v—xxxviii of this volume.

A.

QUESTIONS RELATING TO THE INDIAN CIVIL SERVICE.

METHODS OF RECRUITMENT.

(*a*) *General.*

1. What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?

2. In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?

3. Is the system equally suitable for the admission of "Natives" of India"* and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?

*The term "Natives of India" has been defined in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including any persons born and domiciled within the Dominions of His Majesty in India of parents habitually resident in India and not established there for temporary purposes only; and the term has been so used throughout these questions.

4. Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?

5. Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is, or is not, to the advantage of Indian interests? Please give your reasons.

6. If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles—(*a*) selection by headmasters of schools approved or otherwise, (*b*) selection by authorities in Universities approved or otherwise, (*c*) nomination by head-masters or University authorities and selection under the orders of the Secretary of State, (*d*) combined nomination and examination, (*e*) any other method?

7. What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?

8. Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?

9. What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?

10. If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend? In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?

11. If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?

12. Would you regard any system of selection in India which you may recommend for young men who are "Natives of India" as being in lieu of, or as supplementary to, the present system of promoting to listed posts—officers of the Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?

13. Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system that you would propose.

14. Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter.

(*b*) *Age-limits.*

15. If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?*

*The principal changes in the age-limits have been as follows:—

Years.	Age-limits at open competition.	Period of probation in England.	Age of selected candidates at end of year of arrival in India.
1855—1857	18—23 years	No probation in England	18¼—23¼
1860—1865	18—22 years	One year's probation	19¼—23¼
1866—1878	17—21 years on 1st March	Two years' probation	19¾—23¾
1878—1891	17—19 years on 1st January	Two or three years' probation ...	20—23
1892—1895	21—23 years on 1st April	One year's probation	22¾—24¾
1896—1905	21—23 years on 1st January	Ditto	23—25
1906—1906	22—24 years on 1st August	Ditto	23¾—25¾

A.—Indian Civil Service.]

METHODS OF RECRUITMENT—*contd.*

(*b*) *Age-limits*—concld.

16. What is your experience of the relative merits of the candidates selected under varying age-limits, particularly under the systems in force from 1878 to 1891 (age-limits 17—19 years, followed by two or three years' probation at an approved University) and since 1891 (age-limits 21—23 or 22—24 years, followed by one year's probation)?

17. What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?

18. What is the most suitable age at which junior civilians should arrive in India?

19. What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India" and for other natural-born subjects of His Majesty?

(*c*) *Subjects of Examination.*

20. On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?

21. Please examine the table in Appendix I to these questions, which shows the various phases of the authorized syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (*a*) of school-leaving age, and (*b*) of University-leaving age?

22. Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons.

(*d*) *Statutory Regulations.*

23. Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54), and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.]

24. Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?

25. Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54)? Do you recommend any alterations in this system, and, if so, what?

26. Give a list of the "Natives of India" now serving in your province who were recruited to the Indian Civil Service by means of open competition in England, stating in what year they were admitted, in which posts they are now serving, and their present rate of salary.

27. Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the administration, whether on executive or judicial duties?

28. Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?

(*e*) *Mixed Commissions.*

29. What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your province? Please distinguish in your reply between (*a*) military officers, and (*b*) others; and give details of the latter.

30. Have such officers proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility? Has it been possible and expedient to employ them in all branches of the Administration, whether on executive or judicial duties?

31. If the system of recruiting military officers in India has been stopped, or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent should it be adopted?

32. Do you consider that such a system should be restricted to the recruitment of military officers or extended to the recruitment of selected officers from other Indian services?

(*f*) *Listed Posts, etc.*

33. Please now refer to the rules, dated 26th August 1910, made in exercise of the powers conferred by section 6 of the Government of India Act, 1870 (33 Vict., c. 3, and reproduced as Appendix IV, and to the statement in Appendix V to these questions, showing the number of offices

METHODS OF RECRUITMENT—*concld.*

(*f*) *Listed Posts, etc.*—concld.

places and appointments, commonly known as listed posts, ordinarily held by members of the Indian Civil Service, to fill which it has been declared that members of the Provincial Civil Service can properly be appointed; and say whether the figures given are correct for your province.

34. Are all the posts thus listed ordinarily and regularly filled by "Natives of India"? If not, please state for the last five years to what extent there has been any failure to work up to the authorized list, and explain the reasons.

35. To what extent also during the last five years have these listed posts been filled—(*a*) by members of the Provincial Civil Service; (*b*) by other "Natives of India"? Please give the names and positions of the latter, if any.

36. Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilized and in what directions?

37. Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(*a*) to the members of the Provincial Civil Service; and (*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?

38. Is the class of posts listed suitable? If not, in what directions would you suggest any changes; and why?

39. Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the Administration?

40. Please now turn to the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54), which will be found in Appendix II to these questions and say how many "Natives of India" have been appointed permanently to posts in your province under its provisions during the last five years, giving names and the nature of the posts so filled.

41. Are there any other ways in which "Natives of India" are appointed to your province to Civil Service posts? If so, please give details of the same.

42. Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions.

SYSTEMS OF TRAINING AND PROBATION.

(*a*) *Probation.*

43. What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instructions in England? Do you recommend the continuance or abolition of this system?

44. What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?

45. Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?

46. If so, do you advise the selection of one or more Universities for this purpose and for what reasons?

47. Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend.

48. If you do not advise attendance at an approved University during the period of probation in England, what alternative course of study do you recommend?

49. Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?

50. If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?

51. Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you.

52. In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of—(*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts.

53. Do you consider that the probationer's course of instruction can best be spent in England or in India?

54. What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?

A.—Indian Civil Service.]

SYSTEMS OF TRAINING AND PROBATION —*concld.*

(*a*) *Probation*—concld.

55. What is your opinion of a proposal that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?

56. In the report of the Treasury Committee appointed to consider the organization of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European students' point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?

57. If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation you recommend for such officers.

58. In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in India?

59. Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?

(*b*) *Training.*

60. Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?

61. Is the existing system of departmental examinations suitable, and, if not, what change do you recommend?

62. Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?

63. Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and, if so, what changes?

64. Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch. In particular, do you favour a system of granting study leave to Europe, and, if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?

65. Do you recommend any special course of study in law in India for officers selected for the Judicial Branch?

66. Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial Branch? If so, please give details.

67. Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?

68. Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals.

69. If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of training you recommend for such officers.

70. Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals.

71. Please add such remarks as you may desire to offer on any points relating to the system of probation and training for the Indian Civil Service which are not covered by your answers to the foregoing questions.

CONDITIONS OF SERVICE.

72. The present theory underlying the conditions of service in the Indian Civil Service is—(*a*) that the members of the Service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?

73. It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior" posts, and should be drawing pay at rates above

CONDITIONS OF SERVICE—*concld.*

that of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?

74. Please show in a tabular statement for the last five years, quarter by quarter, with foot-notes giving the names, the total net number of officers who have failed to obtain promotion in accordance with the principles set out in the preceding questions, and say whether any inconvenience, and if so, what, has been caused thereby to the Administration?

75. Please now see the statement marked AA and the list marked—

Madras = A,
Bombay = B,
Bengal = C,
United Provinces = D,
Punjab = E,
Burma = F,
Bihar and Orissa = G,
Central Provinces and Berar = H,
Assam = I,

which have been reproduced in Appendix VII to these questions, and say whether they are correct for your province. If not, please state what amendments are necessary.

76. Is any difficulty experienced by the Administration in working with the number of superior posts shown in the list for your province? Do all the posts entered as superior carry a salary of more than Rs. 1,000 *per mensem*, and are they all such as are ordinarily held by officers in the Indian Civil Service? If not, what changes, if any, do you suggest?

77. Does the number of superior posts shown as held directly under the Government of India correspond with the actual experience of the last five years? If not, please give particulars of the discrepancies, and say whether you consider any change of practice in this respect to be desirable. [Attention is invited in this connexion to List J in Appendix VII to these questions.]

78. Does the number of superior posts allowed for temporary appointments and deputations correspond with the actual experience of (say) the last five years? If not, please give particulars of the discrepancies and say whether you consider any change of practice in this respect to be desirable?

79. Does the arrangement by which officers, recruited against temporary superior posts, are shown in the lowest grade, work satisfactorily? If not, what change of practice appears to you to be necessary?

80. Does the allowance of 39 per cent. on the number of superior posts give the right number of junior officers for the work of the administration of your province? If not, please state what excess or deficiency in your opinion exists, giving your reasons in detail.

81. Junior officers are considered to be under training during the first two years of their service. Does this approximate to the actual conditions? If not, what alteration is necessary in the percentage of 15·5 allowed for training?

82. Does the leave allowance of 32·7 per cent. for superior posts, 6·7 per cent. for inferior posts, and ·6 per cent. for training posts, approximate to the actual conditions? If not, please state what alteration is desirable?

83. Does the annual decremental rate of 4·17 per cent. on the total strength of the service correspond with the actual experience of the last 20 years? If not, please give the actual facts for this period and suggest a suitable figure, with reasons in support of the same.

84. Does the theoretical strength of the Service correspond ordinarily with its actual strength? If not, please state the facts and, in particular, offer any remarks which may suggest themselves with regard to the existing discrepancy shown in the statement marked BB which is included in Appendix VII to these questions?

85. Do you consider that the present system of a quinquennial examination of the conditions of service is adequate to regulate the rate of recruitment and flow of promotion? If not, what alterations do you recommend?

86. State the principles on which the annual indent for recruitment to the Indian Civil Service is regulated. Do you consider that accurate results are attained thereby? If not, what alterations do you recommend?

87. Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?

88. To what extent are the functions of the officers of the Executive and Judicial Branches of the Indian Civil Service differentiated? Is any change desirable, and, if so, in what directions?

89. Have you any other suggestions to make under this head which are not covered by your answers to the above questions and to the questions under the heads relating to salary, leave and pension.

CONDITIONS OF SALARY.

90. Please see the two statements contained in Appendix VIII to these questions showing the various rates of pay drawn by officers holding posts in the Indian Civil Service cadre and the grading of each class of post for the different provinces, and say whether they are correct for your province.

91. Please give full information regarding the rates of pay and the number of posts in each of the main grades of the service authorized on the 1st April of each of the following years: 1860, 1870, 1880, 1890, 1900 and 1912.

92. Are the present rates of pay and grading suitable? If not, what alteration do you recommend?

93. If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts or to both?

94. Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your province, and, if so, what?

A.—Indian Civil Service.]

CONDITIONS OF SALARY—*concld.*

95. Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?

96. If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the Service who now draw no exchange compensation allowance?

97. How does the system of acting allowances work in the case of officers selected to officiate in appointments involving increased responsibility? Is it productive of any inconvenience and have you any suggestion to make on the subject?

98. How is the system of officiating grade promotions, where there is no change of duties, actually worked? Is the system convenient in the interests both of the Government and of the officers of the Service? Have you any recommendations to make for its alteration?

99. What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service or not?

100. As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?

101. What is your experience of the practical working of time-scales of pay in other Indian services?

102. If you recommend any system of time-scale of pay, please describe it, and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances, and other matters of importance. How do you propose to apply such time-scale in provinces where the scale of pay of the Judicial and Executive Branches of the Service is different?

103. If you are in favour of a time-scale of pay, how would you secure that the recruitment of junior officers is restricted to the number likely to be promoted in a reasonable time to posts of independent responsibility, and do you or do you not consider it desirable that all members of the Indian Civil Service should have the prospect of rising to such posts within a fixed time?

104. Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?

105. Have you any other proposals to make in regard to the conditions of salary not covered by your answers to the above questions?

CONDITIONS OF LEAVE.

106. Is there any reason to suppose that officers of the Indian Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?

107. Is all the leave on full pay due to them ordinarily taken by officers of the Indian Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?

108. Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?

109. Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?

110. Do you recommend any change in the concession, granted in 1893, under which leave allowances expressed in rupees, other than privilege leave allowances, issued at the Home Treasury, or in a Colony with a gold standard of currency, are issued in sterling at the privilege rate of exchange of 1*s.* 6*d.* the rupee? If so, what change?

111. Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative rates fixed in sterling and in rupees, and if so what change?

112. Have you any recommendation to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?

113. Generally speaking, do any of the present leave rules applicable to the Indian Civil Service cause inconvenience to the Administration, and if so what, and what remedy do you suggest?

114. In particular, are they a contributory cause of excessive transfers of officers of the Indian Civil Service, and, if so, how can this difficulty be met?

115. Do any of the present leave rules press hardly in any way on officers of the Indian Civil Service themselves, and, if so, in what respects? What is, in your opinion, the appropriate remedy?

116. Do the present leave rules applicable to Statutory Civilians, or to officers of the Provincial Civil Services employed in listed posts, cause any inconvenience to the Administration, or press hardly on the officers themselves, and in what respects? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?

117. Have you any other proposals to make in regard to the conditions of leave not covered by your answers to the above questions?

CONDITIONS OF PENSION.

118. Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?

119. Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?

CONDITIONS OF PENSION—*concld.*

120. Assuming the maintenance of the annuity system, do you suggest any modifications in its detailed working, and, if so, what, and for what reasons?

121. In particular, what is your opinion of the arrangement by which members of the Indian Civil Service, who are appointed Judges of High Courts, obtain special pensions of £1,200 a year after 11½ years' actual service as Judges? Do you recommend any change in the present condition?

122. Do you consider that a similar system should be applied to the cases of high executive officers, and, if so, to which? Please state the amount of pension and the conditions which you recommend as suitable.

123. Assuming the substitution of a non-contributory system of superannuation pensions varying in amount with the amount of salary drawn at the time of retirement, please describe the system that you recommend.

124. Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?

125. Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?

126. Do you approve of the present system regulating the pensions of military officers holding Indian Civil Service posts? If not, what do you suggest?

127. Do you approve of the present system regulating the pensions of statutory civilians? If not, what do you suggest?

128. Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed posts? If not, what do you suggest?

129. Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?

130. In particular, do you approve of the exclusion from their benefits of "Natives of India," who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?

131. Do you recommend that such admission should be optional or compulsory?

132. If you do not approve their admission to the Indian Civil Service Family Pension Fund, do you recommend the formation of a separate Family Pension Fund?

133. Is the existing system under which provision is made for the families of deceased military officers holding Indian Civil Service posts satisfactory? If not, what would you suggest?

134. Have you any criticisms to make on the facilities at present offered—(*a*) to Statutory Civilians, (*b*) to members of the Provincial Civil Services holding listed posts, for providing for their families against their decease?

135. Have you any other proposals to make in regard to the conditions of pension not covered by your answers to the above questions?

GENERAL.

136. Are you satisfied with the existing organization of the Indian Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you suitable.

137. Have you any other proposals to make in regard to the Indian Civil Service not covered by your answers to the above questions? If so, please explain them.

QUESTIONS RELATING TO THE PROVINCIAL CIVIL SERVICE.

[Note.—In replies to these questions, it should be clearly specified whether the reply refers to the whole Provincial Civil Service, or to the Executive Branch or to the Judicial Branch.]

METHODS OF RECRUITMENT.

1. Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?

2. Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your province. Are these rules suitable, or have you any recommendations to make for their alteration?

3. Please see the statement showing the constitution of the Provincial Civil Service, reproduced as Appendix B to these questions, and state whether the information is correct for your province. If not, what alterations are required?

4. Please state the different systems of recruitment that have been adopted for the Provincial Civil Service, the periods for which they were in force, and the number of officers recruited year by year in your province under each system since its formation.

5. Please state the number of natural-born subjects of His Majesty other than "Natives of India" recruited in your province in each year.

6. What is your experience of the officers selected by the different methods of recruitment which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition,

A.—Provincial Civil Service.]

METHODS OF RECRUITMENT—*concld.*

(*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend.

7. To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?

8. Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?

SYSTEMS OF TRAINING AND PROBATION.

9. What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recommend?

10. Is the existing system of departmental examinations suitable, and, if not, what changes do you recommend?

CONDITIONS OF SERVICE.

11. Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?

12. What is the system on which the strength of the $\frac{\text{Executive}}{\text{Judicial}}$ Branch of your Provincial Civil Service is fixed? Do you consider it satisfactory, and, if not, what alterations do you recommend?

13. In particular, is the leave reserve adequate, and the system on which it is graded suitable?

14. Is there any reserve for officers under training, and is it adequate?

15. What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion?

16. To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?

17. Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestion to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?

18. To what extent are the functions of the officers of the Executive and Judicial Branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?

19. Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to those posts suitable? If not, what alterations do you suggest?

20. Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?

21. Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?

CONDITIONS OF SALARY.

22. Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?

23. Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Civil Service authorized on the 1st April of each of the following years:—1890, 1900 and 1912. When was the last general reorganization effected, and what improvement of prospects was effected thereby?

24. Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?

25. Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?

26. What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?

27. As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?

28. What is your experience of the practical working of time-scales of pay in other Indian services?

29. If you recommend any kind of time-scale of pay, please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance. How do you propose to apply such time-scales in provinces where the scale of pay of the Executive and Judicial Branches of the service is different?

30. Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?

CONDITIONS OF LEAVE.

31. Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?

CONDITIONS OF LEAVE—*concld.*

32. Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?

33. Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?

34. Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?

35. Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?

36. Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?

37. Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the Administration? and if so what, and what remedy do you suggest?

38. In particular, are they a contributory cause of excessive transfers of officers, and, if so, how can this difficulty be met?

39. Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respect? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?

CONDITIONS OF PENSION.

40. Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?

41. Have you any suggestions to make in favour of any modifications in its detailed working, and if so, what, and for what reasons?

42. Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient, but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?

43. Do you approve of the present system regulating pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?

44. Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?

45. To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund or to other official or officially-recognized funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?

GENERAL.

46. Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable.

47. Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them.

A.—Indian Civil Service.]

APPENDIX I.

Period of Age-limits, 17—21, *i.e.*, down to 1877.		Period of Age-limits, 17—19. *i.e.*, 1878—1891.	
Subjects.	Marks.	Subjects.	Marks.
1. English Composition	500	1. English Composition	300
2. History of England, including that of the Laws and Constitution	500	2. History of England, including a period selected by the candidate.	300
3. English Language and Literature ...	500	3. English Literature, including books selected by the candidate.	300
4. Language, Literature, and History of Greece.	750	4. Greek	600
5. Language, Literature and History of Rome.	750	5. Latin	800
6. Language, Literature, and History of France.	375	6. French	500
7. Language, Literature, and History of Germany.	375	7. German	500
8. Language, Literature, and History of Italy.	375	8. Italian	400
9. Mathematics (pure and mixed) ...	1,250	9. Mathematics (pure and mixed) ...	1,000
10. Natural Science—that is (1) Chemistry, including Heat; (2) Electricity and Magnetism; (3) Geology and Mineralogy; (4) Zoology, (5) Botany. The total (1,000) marks may be obtained by adequate proficiency in any two or more of the five branches of Science included under this head.	1,000	10. Natural Science—that is, the Elements of any two of the following Sciences, viz., Chemistry, 500; Electricity and Magnetism, 300; Experimental Laws of Heat and Light, 300; Mechanical Philosophy, with outlines of Astronomy, 300.	800 or 600
11. Moral Science—that is, Logic, Mental and Moral Philosophy.	500	11. Logic	300
12. Sanskrit Language and Literature ...	500	12. Elements of Political Economy ...	300
13. Arabic Language and Literature ...	500	13. Sanskrit	500
		14. Arabic	500

Period of Age-limits, 21—23, *i.e.*, 1892—1905.		Period of Age-limits, 22—24, *i.e.*, 1906 to date.	
1. English Composition	500	1. English Composition	500
2. English History	500	2. English History, either or both sections may be taken—	
		Section I., to A.D. 1485 ...	400
		Section II., A.D. 1485 to 1848 ...	400
3. English Law, viz., Law of Contract—Criminal Law—Law of Evidence and Law of the Constitution.	500	3. English Law	500
		4. English Language and Literature ...	600
		Greek, not less than two sub-divisions, of which one must be Translation—	
4. English Language and Literature (including special period named by the Commissioners.)	500	5. Translation	400
		6. Prose Composition	200
		7. Verse Composition	200
		8. Literature, etc.	300
5. Greek Language and Literature ...	750	9. Greek History (Ancient, including Constitution).	500
		Latin not less than two sub-divisions, of which one must be Translation:—	
6. Greek History (Ancient, including Constitution).	400	10. Translation	400
		11. Prose Composition	200
7. Latin Language and Literature ...	750	12. Verse Composition	200
		13. Literature, etc.	300
8. Roman History (Ancient, including Constitution).	400	14. Roman History (Ancient, including Constitution).	500
9. Roman Law	500	15. Roman Law	500
10. French Language and Literature ...	500	16. French, History of the Language and Literature.	200
		17. French, Translation, Composition and Conversation.	400
11. German Language and Literature ...	500	18. German, History of the Language and Literature.	200
		19. German, Translation, Composition and Conversation.	400
		20. Italian, History of the Language and Literature.	200
		21. Italian, Translation, Composition and Conversation.	400
12. General Modern History (period to be selected by Candidates from list in the syllabus issued by the Commissioners, one period at least to include Indian History).	500	22. General Modern History	500
13. Mathematics (pure and applied) ...	900	23. Lower Mathematics	1,200
14. Advanced Mathematical subjects (pure and applied).	900	24. Higher Mathematics	1,200

APPENDIX I.—*concld.*

Period of Age-limits, 21—23, *i.e.*, 1892—1905.			Period of Age-limits, 22—24, *i.e.*, 1906 to date.		
	Subjects.	Marks.		Subjects.	Marks.
15.	Natural Science, *i.e.*, any number not exceeding three of the following subjects :—		25.	Natural Science, *i.e.*, any number not exceeding four of the following or three if both Lower and Higher Mathematics be also taken :—	
	Elementary Chemistry and Elementary Physics 600			(1) Chemistry 600	2,400 or 1,800
	(*N.B.*—This subject may not be taken up by those who offer either Higher Chemistry or Higher Physics) —			(2) Physics 600	
	Higher Chemistry ... 600	1,800		(3) Geology 600	
	Higher Physics ... 600			(4) Botany 600	
	Geology 600			(5) Zoology 600	
	Botany 600			(6) Animal Physiology ... 600	
	Zoology 600			(7) Geography 600	
	Animal Physiology ... 600				
16.	Logic and Mental Philosophy (Ancient and Modern).	400	26.	Logic and Physiology	600
17.	Moral Philosophy (Ancient and Modern)	400	27.	Moral and Metaphysical Philosophy ...	600
18.	Political Economy and Economic History	500	28.	Political Economy and Economic History	600
19.	Political Science (including Analytical Jurisprudence, the early History of Institutions and Theory of Legislation).	500	29.	Political Science	500
20.	Sanskrit Language and Literature ...	500	31.	Sanskrit Language and Literature ...	800
21.	Arabic Language and Literature ...	500	32.	Arabic Language and Literature ...	800
Candidates are at liberty to name any or all of these branches of knowledge. No subjects are obligatory.			Consistently with the limitations specified above Candidates are at liberty to name any of the foregoing subjects, provided that the maximum number of marks that can be obtained from the subjects chosen is limited to 6,000.		

APPENDIX II.

The Indian Civil Service Act, 1861.

(24 & 25 Vict., Cap. 54.)

An Act to confirm certain Appointments in India, and to amend the Law concerning the Civil Service there.

[1st August 1861.

Whereas by section fifty-six of an Act of the thirty-third year of King George the Third, Chapter fifty-two, it was enacted that all the civil servants of the East India Company in India under the rank or degree of Members of Council should have and be entitled to precedence in the service of the said Company at their respective stations according to their seniority of appointment, and that no such civil servant should be capable of being advanced or promoted to any higher station, rank or degree therein than he should be entitled to according to the length of his service; and by section fifty-seven of the same Act it was enacted that all vacancies happening in any of the offices, places, or employments in the civil line of the Company's service in India (being under the degree of Counsellor) should be from time to time filled up and supplied from amongst the civil servants of the said Company belonging to the presidency wherein such vacancies should respectively happen; And whereas by reason of the exigencies of the public service vacancies in certain offices, places and employments in India have been filled up by the appointment of persons not being civil servants, or not being civil servants belonging to the presidency wherein the vacancies have happened, and otherwise not in accordance with the provisions of the said enactments, and it is expedient that such appointments should be rendered valid, and also that the authorities in India should be empowered to make such appointments in like cases in future : 33 G. 3. c. 52.

Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

Appointments not in accordance with 33 G. 3. c. 52, valid.

1. *All appointments made by the authorities in* India *to any such Offices, Places or Employments shall be and be deemed to have been as valid and effectual as if the Act hereinbefore recited or referred to had not been passed—(Rep. 55 & 56 Vict., c. 19).*

Vacancies in offices to be supplied by covenanted civil servants.

2. All vacancies happening in any of the offices, places, or employments specified in the Schedule annexed to this Act, and all such offices which may be created hereafter, shall be filled up and supplied, except as hereinafter provided, from amongst the covenanted civil servants of the Crown in India.

Persons not covenanted civil servants may, under special circumstances, be appointed to such offices subject to certain restrictions.

3. Where it appears to the authority in India by whom an appointment should be made to any office, place, or employment specified in the said Schedule, that such appointment, under the special circumstances of the case, should be made without regard to the recited qualifications, conditions, and restrictions of the said Act, it shall be lawful for such authority to make such appointment accordingly; provided that no person shall be so appointed who has not resided for at least seven years in India, and that every person previously to his being so appointed to any of the offices in the Revenue and Judicial Departments specified in the said Schedule shall pass an

examination in the vernacular language of the district in which he is to be employed, where such examination is now required, and shall be subject to all the departmental tests and other qualifications and restrictions which are or may be imposed in the like case on covenanted civil servants.

Such appointment in each case to be reported to the Secretary of State.

4. Every such appointment shall be provisional only, and shall forthwith be reported to the Secretary of State in Council of India, together with the special reasons for making the same; and unless the Secretary of State in Council shall approve such appointment, with the concurrence of a majority of Members present at a meeting, and shall within twelve months from the date of such appointment notify such approval, to the authority by whom the appointment was made, then such appointment shall be cancelled.

Certain offices may be filled up without regard to restrictions prescribed by recited Act.

5. All vacancies happening in any other offices, places, or employments than those mentioned in the said Schedule, and all other offices than those so mentioned that may hereafter be created in India may be filled up and supplied without regard to the qualifications, conditions, and restrictions prescribed by the said Act.

Act not to apply to office of Lieutenant-Governor, etc.

6. Provided always that this Act shall not apply to the office of Lieutenant-Governor of any part of Her Majesty's dominions in India, or to any offices for the supply of which provision may be made by any other Act of the present session of Parliament.

So much of 33 G. 3. c. 52, as requires seniority, etc., for appointments repealed.

7. Section fifty-six of the said Act of the thirty-third year of King George the Third, and so much of the other sections of the said Act and of any other Act now in force as requires seniority as a condition or qualification for the appointment of civil servants to offices, places, or employments, shall be repealed.

SCHEDULE.

Secretaries, Junior Secretaries, and Under-Secretaries to the several Governments of India, except the Secretaries, Junior Secretaries, and Under-Secretaries in the Military, Marine and Public Works Departments.

Accountant-General.
Civil Auditor. (*a*)
Sub-Treasurer. (*b*)

Judicial.

1. Civil and Sessions Judges, or Chief Judicial Officers of Districts in the Provinces now known as Regulation provinces.
2. Additional and Assistant Judges in the said Provinces.
3. Magistrates or Chief Magisterial Officers of Districts in the said Provinces.
4. Joint-Magistrates in the said Provinces.
5. Assistant Magistrates or Assistant to Magistrates in the said Provinces.

Revenue.

1. Members of the Board of Revenue in the Presidencies of Bengal and Madras.
2. Secretaries to the said Boards of Revenue.
3. Commissioners of Revenue or Chief Revenue Officers of Divisions in the Provinces now known as Regulation Provinces.
4. Collectors of Revenue or Chief Revenue Officers of Districts in the said Provinces.
5. Deputy or Subordinate Collectors where combined with the Office of Joint-Magistrate in the said Provinces.
6. Assistant Collectors or Assistants to Collectors in the said Provinces.
7. Salt Agents.
8. Controller of Salt Chowkies.
9. Commissioners of Customs, Salt and Opium.
10. Opium Agents.

(*a*) Now called Comptroller-General.

(*b*) Now non-existent.

APPENDIX III.

THE GOVERNMENT OF INDIA ACT, 1870.

(33 Vict., Cap. 3.)

An Act to make better provision for making Laws and Regulations for certain parts of India, and for certain other purposes relating thereto.

[25th March 1870.]

* * * * * * * * *

Power to appoint natives of India to certain offices without certificate from the Civil Service Commissioners. 21 & 22 Vict. c. 106. 24 & 25 Vict., c. 54.

6. Whereas it is expedient that additional facilities should be given for the employment of Natives of India, of proved merit and ability, in the civil service of Her Majesty in India:

Be it enacted, that nothing in the Government of India Act, 1858, or in the Indian Civil Service Act, 1861, or in any other Act of Parliament or other law now in force in India, shall restrain the authorities in India by whom appointments are or may be made to offices, places, and employments in the civil service of Her Majesty in India from appointing any Native of India to any such office, place or employment, although such Native shall not have been admitted to the said civil service of India in manner in section thirty-two of the first-mentioned Act provided, but subject to such rules as may be from time to time prescribed by the Governor-General in Council, and sanctioned by the Secretary of State in Council, with the concurrence of a majority of members present;

and that for the purpose of this Act the words "Natives of India" shall include any person born and domiciled within the dominions of Her Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only;

and that it shall be lawful for the Governor-General in Council to define and limit from time to time the qualification of Natives of India thus expressed; provided that every resolution made by him for such purposes shall be subject to the sanction of the Secretary of State in Council, and shall not have force until it has been laid for thirty days before both Houses of Parliament.

APPENDIX IV.

Notification of the Government of India, Home Department (Establishments), No. 1128, dated Simla, the 26th August 1910.

In exercise of the power conferred by section 6 of the Government of India Act, 1870 (33 Victoria, Chapter 3), and in supersession of the rules published in the Home Department Notification No. 2159 (Public), dated the 2nd November 1892, the Governor-General in Council has been pleased to make the following rules, which have been sanctioned by the Secretary of State in Council with the concurrence of a majority of the members present.

1. The local Government may appoint any member of the provincial civil service subordinate to it, who is a Native of India, and of proved merit and ability, to any of the offices, places, and employments ordinarily held by members of the Civil Service of His Majesty in India, to fill which it has been declared by such local Government (by notification in the official Gazette) that members of such Provincial civil service can properly be appointed.

2. The local Government may at any time appoint any Native of India of proved merit and ability to any of the offices, places, and employments specified by such local Government in any such notification as in Rule 1 is mentioned; provided that not more than one-fourth of the offices, places, and employments so specified shall at any one time be held by Natives of India not members of the Provincial civil service subordinate to the local Government; but this proviso shall not apply to or include any Native of India (not a member of a Provincial service) who has, prior to the making of these rules, been appointed under section 6 of the Government of India Act, 1870 (33 Victoria, Chapter 3), to an office, place, or employment in the Civil Service of India.

3. In addition to appointments made under Rules 1 and 2 the local Government may, whenever the exigencies of the public service render it necessary, appoint to any of the offices, places, or employments ordinarily held by members of the Civil Service of His Majesty in India, for a period not exceeding three months, any Native of India of proved merit and ability; provided that the appointment of any such officer shall not involve his transfer from another district.

4. The local Government may declare any appointment to be made on probation only, and may prescribe the terms on which it is made and the conditions with which the person appointed must comply before he can be confirmed.

5. The local Government may at any time suspend and remove any person appointed by such local Government under these rules.

A. EARLE,
Offg. Secy. to the Govt. of India.

APPENDIX V.

Statement showing Posts listed as open to the Provincial Civil Services.

—	Madras.	Bombay.	Bengal.	United Provinces.	Punjab.	Burma.	Bihar and Orissa.	Central Provinces (and Berar).	Total.
Superior Posts.									
Heads of districts ...	2	2	8	2	2	2	5	4	49
District and Divisional Judges.	4	3		5	6	2		2	
Settlement Collectors ...	...	...	...	...	2	1	...	...	3
Sub-Collectors ...	2	...	...	...	...	...	...	...	2
Secretary, Board of Revenue.	...	...	...	...	1	...	...	...	1
Talukdari Settlement Officer	...	1	...	...	...	...	...	...	1
Total ...	8	6	8	7	11	5	5	6	56
Inferior Posts.									
Secretary to Board of Revenue.	1	...	...	1	...	...	...	...	2
Under-Secretary to Government.	1	...	1	...	1	...	1	...	4
Joint Magistrates or Assistant. Commissioners or Assistant Collectors.	5	8	8	7	3	...	...	2	33
Assistant Judges ...	...	3	...	...	...	...	...	...	3
Small Cause Court Judges	...	...	...	2	...	...	...	...	2
Assistant Settlement Officers	...	...	...	2	...		...	...	2
Assistant to Director of Land Records.	...	...	...	1	...	...	...	...	1
Total ...	7	11	9	13	4	...	1	2	47
GRAND TOTAL SUPERIOR AND INFERIOR.	15	17	17	20	15	5	6	8	103

A.—Indian Civil Service.]

APPENDIX VI.

Final Examination of 1891 when the Period of Probation was two years.		Final Examination of 1912 when the Period of Probation was one year.	
Subjects (*a*).	Marks.	Subjects.	Marks.
1. *Classical languages of India—		*Compulsory*—	
Sanskrit	500	1. The principal Vernacular language of the Province to which the candidate is assigned.	400
Arabic	400	2. Indian History	400
Persian	400	3. Indian Penal Code	400
2. †Vernacular languages of India (excepting Hindustani when taken up by Madras candidates and Gujrati) each.	400	4. Code of Criminal Procedure ...	200
		5. The Indian Evidence Act ...	200
3. The History and Geography of India	350	*Optional.*—(Not more than one of the following subjects.)	
4. ‡Law	1,250	1. §Sanskrit	400
5. Political Economy	350	2. §Arabic	400
		3. Persian	400
		4. Hindustani (for candidates assigned to the Province of Burma only).	400
		5. Hindu and Muhammadan Law ...	450

(*a*) In addition to the above, candidates were permitted to take up any one of the following branches of Natural Science, viz., Agricultural chemistry, botany, geology and zoology, for which 350 marks were allowed.

* One or more of these subjects could be taken.

† One of the languages prescribed for the candidates' Presidency or Province.

‡ The course of reading in law included –

(1) General Jurisprudence—
Blackstone's Commentaries.
Austin's Jurisprudence.
The Institutes of Justinian.
Maine's Ancient Law.
Mackenzie's Studies in Roman Law.
Bentham's Theory of Legislation.

(2) Law of Evidence—
The Indian Evidence Act.
Pitt Taylor's Treatise on the Law of Evidence.

(3) Law of India—
The Code of Civil Procedure.
The Indian Penal Code.
The Code of Criminal Procedure.
The Indian Law of Contracts.
The Intestate and Testamentary Succession Act.
Hindu Law.
Muhammadan Law.

20th Report of His Majesty's Civil Service Commissioners, pages 523-6.

Simultaneously, the candidates attended courts and supplied the following detailed reports, with an analysis and notes in each case :—

First Periodical Examination ...	Seven reports of police court cases of a stipendary Magistrate, embracing cases in which the magistrate exercised final jurisdiction and cases which be committed for trial.
	Four civil cases of a county court in which the parties were represented by counsel.
	One separate report of the whole business, of whatever kind, transacted in a police court during one day.
Second Periodical Examination ..	Five reports of Civil actions in the superior courts of London in which the defendant was represented by counsel.
	Five reports of cases decided in the Central Criminal Court in which the prisoner was represented by counsel.
Third Periodical Examination ...	Three reports of civil cases of importance tried before special juries in the Superior Courts of London.
	Three reports of criminal cases of importance tried before juries in the Central Criminal Court and selected for some special quality such as the gravity of the offence, the nature of the evidence produced, the number of the prisoners, etc.
Final Examination ...	One report of the investigation before a London police magistrate of a grave criminal charge ending in committal.
	One report of the whole business, of whatever kind, transacted in a London police court in one day.
	Two reports of important civil cases tried by a special jury in London.
	One report of a case heard in the Judicial Committee of the Privy Council on appeal from India.

§ These subjects cannot be offered by any candidate who has offered them at the open competition.

APPENDIX VII.

A A.

STATEMENT showing the CADRE and STRENGTH of the INDIAN CIVIL SERVICE for INDIA as a whole and by PRESIDENCIES or PROVINCES, as sanctioned on 1st July 1912, together with the number of posts listed as open to the Provincial Service in accordance with the terms of the rules *made under the provisions* of Section 6 of the Government of India Act, 1870 (33 Vict., Cap. 3).

—	Madras.	Bombay.	Bengal.	United Provinces.	Punjab.	Burma.	Bihar and Orissa.	Central Provinces.	Assam.	Total.
(1) No. of "Superior" posts, *i.e.*, posts carrying a salary of over Rs. 1,000 a month in the Presidency or Province.	87	84	90	111	80	83	54	51	22	662
(2) *Deduct* for posts listed as open to Provincial Service.	8	6	8	7	11	5	5	6	...	56
(3) *Add* for posts under the Government of India (*a*).	8	8	8	10	7	6	5	...	2	58
(4) Balance number of "Superior" posts.	87	86	90	114	76	84	54	49	24	664
(5) *Add* 4 per cent. for temporary posts and for deputation. [*N.B.*—For such posts additions are made in the lowest grade of assistants.]	3	3	4	5	3	3	2	2	1	26
(6) Total number of "Superior" posts on which recruitment is based.	90	89	94	119	79	87	56	51	25	690
(7) *Add* "Inferior" posts, *i.e.*, posts above the lowest grade of assistants, but below the "Superior" posts, at 39 per cent. of line (6).	35	35	37	46	31	34	22	20	9	269
(8) *Add* leave reserve at 40 per cent. of line (6).	36	35½	37½	47½	32	35	22½	20	10	276
(9) *Add* training reserve at 15·5 of line (6).	14	13½	14½	18½	12	13	8½	8	4	106
(10) Strength of service required at 194·5 per cent. of line (6).	175	173	183	231	154	169	109	99	48	1,341
(11) Rate of recruitment at 4·17 per cent. of strength shown in line (10).	7·3	7·2	7·6	9·6	6·4	5·3 Civil. 1·7 Military.	4·5	4·1	2·0	54 Civil. 1·7 Military.

(*a*) The figures under this line are fixed arbitrarily from time to time for purposes of recruitment, and are not intended to limit or guarantee the number of posts under the Government of India, which may at any time be filled from a particular Province.

A.—Indian Civil Service.]

APPENDIX VII.—*contd.*

LIST A.

MADRAS.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
2	Members of Council	5,333⅓
2	High Court Judges	4,000
1	Member, Board of Revenue	3,750
1	Chief Secretary	3,750
1	Member, Board of Revenue	3,500
1	Secretary, Revenue Department	3,125
2	Members, Board of Revenue	3,000
2	District and Sessions Judges, first grade	3,000
1	Inspector-General of Police	2,500—100—3,000
1	Resident, Travancore	2,800
7	District and Sessions Judges, second grade ...	2,500
1	Secretary, Municipal (Local) Department	2,500
(*a*) 7	Collectors, first grade	2,500
7	District and Sessions Judges, third grade	2,250
(*a*) 14	Collectors, second grade	2,250
6	District and Sessions Judges, fourth grade	2,000
1	Commissioner of Coorg	1,800—2,000
(*a*) 6	Collectors, third grade	1,800
1	Secretary to Commissioner of Land Revenue ...	1,500—1,800
1	Secretary to Commissioner, Salt and Abkari Revenue ...	1,500—1,800
1	Registrar, High Court	1,500—1,800
1	Private Secretary	1,500
(*b*) 20	Sub-Collectors and Joint Magistrates, first grade ...	1,200
Total ... 87		
Deduct —8	For posts listed as open to the Provincial Service.	
Add +8	Do. under the Government of India.	
Balance 87		
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay.*	
3	Under-Secretaries	1,000
16	Joint Magistrates, second grade	900
16	Ditto, third grade	700
Total ... 35		
	Reserve posts, i.e., *Assistant Collectors.*	400—500
3	Reserve for temporary posts and for deputations.	
36	Leave reserve.	
14	Training reserve.	
Total ... 53		

(*a*) Includes Collector of Madras, Director of Agriculture, and Registrar of Co-operative Credit Societies.
(*b*) Includes Deputy Commissioner of Salt and Abkari, and Director of Land Records.

APPENDIX VII.—*contd.*

LIST B.

BOMBAY (INCLUDING SIND).

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
2	Members of Council	5,333⅓
3	High Court Judges	4,000
1	Chief Secretary	3,750
1	Commissioner in Sind	3,750
3	Commissioners	3,500
1	Secretary	3,125
1	Commissioner of Customs, Salt, Opium, etc. ...	3,000
1	Municipal Commissioner, Bombay	3,000
1	Judicial Commissioner, Sind	3,000
1	Inspector-General of Police	2,500—100—3,000
1	Additional Judicial Commissioner	2,750
(*a*) 3	District and Sessions Judges, first grade	2,500
1	Secretary	2,500
6	District and Sessions Judges, second grade ...	2,325
13	Senior Collectors	2,325
1	Commissioner of Settlement and Director, Land Records	Salary of grade *plus* a local allowance of Rs. 250.
9	District and Sessions Judges, third grade	1,800
(*b*) 15	Junior Collectors	1,800
1	Registrar, High Court	1,700
1	Private Secretary	1,500
1	Deputy Commissioner, Upper Sind Frontier ...	1,200 plus local allowance of Rs. 300.
3	Political appointments	.....
1	Assistant Remembrancer of Legal Affairs	1,250—50—1,500
2	Under-Secretaries	1,250
1	Talukdari Settlement Officer	1,100
1	Assistant to Commissioner in Sind	1,100 plus local allowance of Rs. 100.
1	Manager, Sind Encumbered Estates	Salary of grade *plus* special allowance of Rs. 200.
2	Superintendents of Land Records	Salary of grade *plus* special allowance of Rs. 150.
1	Registrar, Co-operative Credit Societies	
5	Assistant Collectors, first grade	900 (*c*)
Total ... 84 *Deduct* — 6 *Add* + 8	For posts listed as open to the Provincial Service. Do. under the Government of India.	
Balance 86		
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay.*	
17	Assistant Collectors, first grade	900
18	Ditto, second grade	700
Total ... 35		
	Reserve posts, i.e., *Assistant Collectors.*	400—500
3	Reserve for temporary posts and for deputations.	
35½	Leave reserve.	
13½	Training reserve.	
Total ... 52		

(*a*) Includes Remembrancer of Legal Affairs.
(*b*) Includes Collector of Salt Revenue, Collector of Bombay and Director of Agriculture and Co-operative Credit Societies, but excludes Collector of Customs, Bombay.
(*c*) It has recently been proposed to raise the pay of these five appointments to Rs. 1,200.

[A—Indian Civil Service.]

APPENDIX VII.—*contd.*

LIST C.

BENGAL.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
2	Members of Council	5,333⅓
4	High Court Judges	4,000
1	Member, Board of Revenue	3,750
1	Chairman, Calcutta Corporation	3,500
1	Chief Secretary	3,333⅓
(*a*) 3	District and Sessions Judges, first grade	3,000
1	Chairman of the Calcutta Improvement Trust ...	3,000
5	Commissioners	2,916⅔
1	Inspector-General of Police	2,500—100—3,000
2	Secretaries	2,750
(*a*) 13	District and Sessions Judges, second grade ...	2,500
(*b*) 12	Magistrates and Collectors, first grade ...	2,250
(*a*) 14	District and Sessions Judges, third grade	2,000
(*b*) 13	Magistrates and Collectors, second grade	1,800
1	Registrar, High Court	1,700
(*b*) 14	Magistrates and Collectors, third grade	1,500
1	Private Secretary to His Excellency the Governor ...	1,500
1	Deputy Chairman, Calcutta Corporation	1,500
Total ... 90		
Deduct — 8	For posts listed as open to the Provincial Service.	
Add + 8	Do. under the Government of India.	
Balance 90		
	Inferior posts (i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay excluding one listed Under-Secretaryship*).	
2	Under-Secretaries	1,000
17	Joint Magistrates	900
17	Ditto	700
Total ... 36		
	Reserve posts, i.e., *Assistant Magistrates.*	400—500
4	Reserve for temporary appointments and deputations.	
37½	Leave reserve.	
14½	Training reserve.	
Total ... 56		

(*a*) Includes Superintendent and Remembrancer of Legal Affairs and three District and Sessions Judges for Assam

(*b*) Includes Commissioner of Excise, Director of Land Records, Director of Agriculture, two Secretaries to the Board of Revenue, Registrar of Co-operative Credit Societies, three Settlement Officers and four Additional Magistrates for Dacca, Midnapore, Bakarganj and Mymensingh.

APPENDIX VII.—*contd.*

LIST D.

United Provinces.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Lieutenant-Governor	8,333⅓
3	High Court Judges	4,000
1	Judicial Commissioner	3,500
2	Members, Board of Revenue	3,500
1	Additional Judicial Commissioner	3,333⅓
1	Chief Secretary	3,000
2	District and Sessions Judges, first grade	3,000
9	Commissioners	2,916⅔
1	Inspector-General of Police	2,500—100—3,000
1	Opium Agent	2,500—100—3,000
1	Commissioner, Kumaun	2,500
(*a*) 7	District and Sessions Judges, second grade ...	2,500
(*b*) 19	Magistrates and Collectors, first grade	2,250
(*a*) 6	District and Sessions Judges, third grade ...	2,250
10	District and Sessions Judges, fourth grade ...	1,833⅓
(*b*) 17	Magistrates and Collectors, second grade ...	1,833⅓
4	Deputy Commissioners, first grade	1,833⅓
3	District and Sessions Judges, fifth grade ...	1,666⅔
(*b*) 10	Deputy Commissioners, second grade	1,666⅔
1	Registrar, High Court	1,600
4	Settlement Officers	Salary of grade *plus* special allowance of Rs. 150.
1	Deputy Director of Land Records	
1	Registrar, Co-operative Credit Societies	
1	Superintendent, Dehra Dun	1,500
1	Deputy Commissioner, Naini Tal ...	1,500
1	Assistant Judge	1,100
2	Deputy Commissioners of Garhwal and Almora ...	1,000
Total ... 111		
Deduct — 7	For posts listed as open to the Provincial Service	
Add +10	Do. under the Government of India.	
Balance 114		
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay.*	
2	Under-Secretaries	1,000
1	Under-Secretary	800
1	City Magistrate, Lucknow	1,000
14	Joint Magistrates, first grade	1,000
6	Assistant Commissioners, first grade	800
1	Assistant Judge	800
20	Joint Magistrates, second grade	700
1	Registrar, Judicial Commissioner's Court ...	Salary of grade.
Total ... 46		
	Reserve posts, i.e., *Assistant Collectors.*	400—500
5	Reserve for temporary posts and for deputations.	
47½	Leave reserve.	
18½	Training reserve.	
Total ... 71		

(*a*) Includes the Legal Remembrancer.
(*b*) Includes two Secretaries in the Board of Revenue, Judicial and Financial Secretaries to Government, Director of Land Records and Agriculture and Commissioner of Excise.

A.—Indian Civil Service.]

APPENDIX VII.—*contd.*

LIST E.

PUNJAB (EXCLUDING THE NORTH-WEST FRONTIER PROVINCE).

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Lieutenant-Governor	8,333⅓
1	Chief Judge, Chief Court	4,000
2	Judges, Chief Court	3,500
2	Financial Commissioners	3,500
1	Chief Secretary	3,000
5	Commissioners	2,750
2	Divisional Judges, 1st grade	2,750
3	Divisional Judges, 2nd grade	2,500
5	Divisional Judges, 3rd grade	2,250
(*a*) 10	Deputy Commissioners, 1st grade	2,250
6	Divisional Judges, 4th grade	1,800
(*a*) 11	Deputy Commissioners, 2nd grade	1,800
8	District Judges	1,500
(*a*) 13	Deputy Commissioners, 3rd grade	1,500
6	Settlement Officers	Salary of grade *plus* special allowance of Rs. 150.
1	Registrar, Co-operative Credit Societies	
1	Senior Secretary to Financial Commissioners ...	Salary of grade, subject to a minimum of Rs. 1,200 and a maximum of Rs. 1,800.
1	Junior Secretary to Financial Commissioners ...	Salary of grade, subject to a maximum of Rs. 1,500 and a minimum of Rs. 1,000.
1	Registrar, Chief Court	1,250
Total .. 80 *Deduct* — 11 *Add* + 7 Balance 76	For posts listed as open to the Provincial Service. Do. under the Government of India.	
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay (excluding one Under-Secretaryship listed).*	
2	Under-Secretaries	1,000
14	Assistant Commissioners, 1st grade	900
15	Ditto, 2nd grade	700
Total ... 31		
	Reserve posts, i.e., *Assistant Commissioners of the lowest grade.*	400—500
3	Reserve for temporary posts and for deputations.	
32	Leave reserve.	
12	Training reserve.	
Total ... 47		

(*a*) Includes two Secretaries of Government, Director of Land Records, Director of Agriculture and Political Agent, in the Phulkian States.

APPENDIX VII.—*contd.*

LIST F.

BURMA.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Lieutenant-Governor	8,333⅓
1	Chief Judge, Chief Court	4,000
1	Judge, Chief Court	3,500
1	Judicial Commissioner, Upper Burma	3,500
1	Financial Commissioner	3,500
1	Chief Secretary to Government	3,000
8	Commissioners of Divisions	2,750
1	Commissioner of Settlements and Director of Land Records.	2,750
2	Divisional Judges, 1st grade	2,750
1	President, Rangoon Municipality	2,500 (*a*)
1	Director of Agriculture	2,400 (*d*)
2	Divisional Judges, 2nd grade	2,250
(*c*) 12	Deputy Commissioner, 1st grade	2,250
1	Revenue Secretary to Government	2,250 (*b*)
1	Secretary to Government	2,250 (*b*)
2	Divisional Judges, 3rd grade	1,800
(*c*) 13	Deputy Commissioners, 2nd grade	1,800
8	District Judges	1,500
(*c*) 15	Deputy Commissioners, 3rd grade	1,500
1	Deputy Director of Land Records	1,600 (*b*)
1	Secretary to Financial Commissioner	1,500 (*b*)
1	Registrar, Chief Court	1,400 (*b*)
6	Settlement Officers	Salary of grade *plus* special allowance of Rs. 150.
1	Registrar, Co-operative Credit Societies	
Total ... 83		
Deduct −5	For posts listed as open to the Provincial Service.	
Add +6	For posts under the Government of India.	
Balance ...84		
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay.*	
11	Assistant Commissioners, 1st grade	1,000
13	Assistant Commissioners, 2nd grade	700
10	Assistant Commissioners, 3rd grade	600
Total ... 34		
	Reserve posts, i.e., *Assistant Commissioners of the 4th grade.*	450—500
3	Reserve for temporary posts and for deputations.	
35	Leave reserve.	
13	Training reserve.	
Total ... 51		

(*a*) Maximum salary, including a local allowance of Rs. 250 a month.
(*b*) Maximum salary including a local allowance of Rs. 400, Rs. 300, Rs. 200, Rs 200 and Rs. 200, respectively.
(*c*) Includes Superintendent of Shan States, Collector of Rangoon and Commissioner of Excise, the latter officer drawing the salary of grade *plus* a local allowance of Rs. 250, without a maximum.
(*d*) Maximum salary including a local allowance of Rs. 150 a month.

A.—Indian Civil Service.]

APPENDIX VII.—*contd.*

LIST G.

BIHAR AND ORISSA.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Lieutenant-Governor	8,333⅓
2	Members of Council	5,000
2	High Court Judges	4,000
1	Member, Board of Revenue	3,500
1	Chief Secretary	3,000
(*a*) 2	District and Sessions Judges, 1st grade	3,000
5	Commissioners	2,916⅔
1	Inspector-General of Police	2,500—100—3,000
(*a*) 5	District and Sessions Judges, 2nd grade	2,500
(*b*) 9	Magistrates and Collectors, 1st grade	2,250
(*a*) 5	District and Sessions Judges, 3rd grade	2,000
(*b*)10	Magistrate and Collectors, 2nd grade	1,800
(*b*)10	Ditto, 3rd grade	1,500
Total ... 54		
Deduct —5	For posts listed as open to the Provincial Service.	
Add +5	Do. under the Government of India.	
Balance... 54	On which recruitment is based.	

	Inferior posts, i.e., *posts above the lowest grade of assistants but below the "superior" posts (including one listed Under-Secretary) in order of pay.*	
2	Under-Secretaries	1,000
10	Joint Magistrates, 1st grade	900
10	Ditto, 2nd grade	700
Total ... 22		
	Reserve posts, i.e., *Assistant Magistrates.*	400—500
2	Reserve for temporary posts and for deputations.	
22½	Leave reserve.	
8½	Training reserve.	
Total ... 33		

(*a*) Includes Superintendent and Remembrancer of Legal Affairs and Judicial Commissioner, Chota Nagpur.
(*b*) Includes two Secretaries to Government, and Directors of Land Records and Agriculture, Commissioner of Excise, Registrar of Co-operative Credit Societies, two Settlement Officers and Political Officer, Orissa.

APPENDIX VII.—*contd.*

LIST H.

CENTRAL PROVINCES AND BERAR.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
	Central Provinces.	Rs.
1	Chief Commissioner	5,166⅔
1	Financial Commissioner	3,500
1	Judicial Commissioner	3,500
1	Additional Judicial Commissioner	3,000
1	Second Additional Judicial Commissioner	2,750
3	Commissioners	2,750
2	Ditto	2,500
1	Senior Divisional Judge	2,500
(a) 8	Deputy Commissioners, 1st class	2,250
(a) 12	Ditto, 2nd class	1,800
(a) 14	Ditto, 3rd class	1,500
4	Settlement Officers	Salary of grade *plus* special allowance of Rs. 150.
1	Director of Agriculture	
1	Registrar, Co-operative Credit Societies	
Total ... 51		
Deduct — 6	For posts listed as open to the Provincial Service.	
Add + 4	Do. under the Government of India.	
Balance ... 49		
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay.*	Rs.
6	Assistant Commissioners, 1st grade	900
13	Ditto, 2nd grade	700
Total ... 19		
	NOTE.—There is a defect of one post. It has recently been proposed to correct the defect and to grade the 20 posts as follows:—	
10	Assistant Commissioners, 1st grade	900
10	Ditto, 2nd grade	700
Total ... 20		
	Reserve posts, i.e., *Assistant Commissioners of the lowest grade.*	400-500
2	Reserve for temporary post and for deputations.	
20	Leave reserve.	
8	Training reserve.	
Total ... 30		

(a) Includes Chief Secretary, Secretary, Political Agent of Chhattisgarh, Commissioner of Excise, Commissioner of Settlement, three Divisional Judges, Inspector-General of Police, and two District and Sessions Judges, and one Secretary to the Chief Commissioner. The Inspector-General of Police draws a local allowance of Rs. 450, subject to a maximum salary of Rs. 2,500 a month.

A.—Indian Civil Service.]

APPENDIX VII.—*contd.*

LIST I.

ASSAM.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Chief Commissioner	5,166⅔
2	Commissioners	2,750
(*a*) 6	Deputy Commissioners, 1st grade	2,250
(*a*) 7	Ditto, 2nd grade	1,800
(*a*) 6	Ditto, 3rd grade	1,500
Total ... 22		
Deduct *Nil.*	For posts listed as open to the Provincial Service.	
Add + 2	Do. under the Government of India.	
Balance ... 24		
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay.*	
2	Under-Secretaries	1,000
4	Joint Magistrates, 1st grade	900
3	Ditto, 2nd grade	700
Total ... 9		
9	*Reserve posts*, i.e., *Assistant Magistrates.*	400—500
1	Reserve for temporary posts and for deputations.	
10	Leave reserve.	
4	Training reserve.	
Total 15		

(*a*) Includes Superintendent of Lushai Hills; Commissioner of Excise, Inspector-General of Registration and Registrar of Co-operativ Credit Societies; Director of Land Records and Agriculture; two Secretaries to the Chief Commissioner; Inspector-General of Police; one Settlement Officer, and Political Agent, Manipur.

LIST J.

Superior Posts under the Government of India.

Number.	Designation.	Pay of each.
		Rs.
3	Members of Council	6,666⅔
	Home Department—	
1	Secretary	4,000
1	Deputy Secretary	2,000
1	Director, Criminal Intelligence	3,000
1	Superintendent of Port Blair	2,500—3,000
	Finance Department—	
1	Secretary	4,000
1	Joint Secretary	3,000
1	Deputy Secretary	2,250
1	Comptroller and Auditor-General	3,500—4,000
3	Accountants-General	2,250—2,750
3	Officers of the India Finance Department ...	1,100—1,800

APPENDIX VII.—*concld.*

LIST J.—*concld.*

Number.	Designation.	Pay of each.
	Foreign Department—	Rs.
1	Secretary	4,000
1	Deputy Secretary	2,250
23	Political Officers	1,100—4,000
	Legislative Department—	
1	Secretary or Deputy Secretary	3,000—3,500 or 2,000
	Department of Revenue and Agriculture—	
1	Secretary	4,000
	Department of Commerce and Industry—	
1	Secretary	4,000
1	Director-General of Posts and Telegraphs ...	3,000—3,500
4	Postmasters-General	1,500—1,750 or 1,750—2,000 or 2,250—2,500
1	Commissioner, Northern India Salt Revenue ...	2,500
1	Inspector-General of Excise and Salt	3,000
3	Collectors of Customs	2,050—2,500
2	Assistant Collectors of Customs	1,150—1,400
	Department of Education—	
1	Secretary	3,000
Total ... 58		

BB.

STATEMENT showing for INDIA as a whole and by PRESIDENCIES and PROVINCES the actual strength of the INDIAN CIVIL SERVICE CADRE, as it stood on 1st July 1912, compared with the strength at which it should have stood on the same date in accordance with the sanctioned calculations.

Provinces.	Sanctioned strength.	Actual strength on 1st July 1912.		Number of officers over(+) or under(—) strength.
1	2	3		4
Madras	175		173	— 2
Bombay	173		176 (*a*)	+ 3
Bengal	183		174 (*b*)	— 9
United Provinces	231		237 (*c*)	+ 6
Punjab	154	Civilians 162 (*d*) ...	191	+37
		Military 29 (*e*) ...		
Burma	169	Civilians 126 ...	175	+ 6
		Military 49 ...		
Bihar and Orissa	109		107 (*f*)	— 2
Central Provinces	99		104 (*g*)	+ 5
Assam	48	Civilians 39 ...	48	...
		Military 9 ...		
Total ...	1,341		1,385	+44

(*a*) Excluding Sir B. Robertson, who permanently belongs to the Central Provinces, where he has been included, but including Mr. H. C. Mules of the Sind Commission.

(*b*) Excluding Messrs. Nathan and Hallet, who have been temporarily lent by Bihar and Orissa to Bengal and have been included in the Bihar and Orissa cadre.

(*c*) Including Sir H. Butler, who has not been numbered in the Civil List, but excluding Messrs. W. Alder and T. K. Johnston, who have been temporarily transferred to, and included in the Bengal cadre.

(*d*) Including Messrs. O'Dwyer, Lorimer, Barton, Grant, Rennie, Johnston, Glancy, Pipon, Bolton, Pears, Jelf, Howell, Bill, Copeland, Fraser, Fitzpatrick, Latimer, serving in the Political Department under the Government of India in the North-West Frontier Province, and Messrs. Bray and Cater, also serving under the Government of India in the Political Department in Baluchistan, and excluding Messrs. Cowan, Macnair and Jacob, serving in Bengal, where they have been included, and Mr. Gordon, serving in Assam, in which he has also been included.

(*e*) Including Lieutenant-Colonel Rawlinson, Mr. J. S. Donald, Major Blakeway, Lieutenant-Colonel Sir G. Roos-Keppel and Captain Keen, serving in the Political Department under the Government of India in the North-West Frontier Province.

(*f*) Excluding the late Mr. Shettle.

(*g*) Including Sir B. Robertson, who permanently belongs to the Central Provinces, but has been wrongly omitted from the Civil List, but excluding Messrs. Crawford (serving in Bihar and Orissa where he has been included), and Liddell (serving in Bengal, in which he has been included), and three Indian members of the Berar Commission who have been treated as holding posts corresponding to three listed posts.

Nature of posts.	Madras.		Bombay.		Bengal.		United Provinces.	
	No.	Pay.	No.	Pay.	No.	Pay.	No.	Pay.
		Rs.		Rs.		Rs.		Rs.
Lieutenant-Governors and Chief Commissioners.	...	.....	...	.....	...	.....	1	8,333⅓
Members of Councils...	2	5,333⅓	2	5,333⅓	2	5,333⅓	...	.....
Judges of High or Chief Courts.	2	4,000	3	4,000	4	4,000	3	4,000
Boards of Revenue or Financial Commissioners.	4	(1) 3,750 (1) 3,500 (2) 3,000	...	.....	1	3,750	2	3,500
Commissioners of Divisions and others of same rank.	...	.....	6	(1) 3,750 (3) 3,500 (2) 3,000	5	2,916⅔	10	(9) 2,916⅔ (1) 2,500
Secretaries to Government.	3	(1) 3,750 (1) 3,125 (1) 2,500	3	(1) 3,750 (1) 3,125 (1) 2,500	3	(1) 3,333⅓ (2) 2,750	1	3,000
Secretaries to Boards of Revenue or Financial Commissioners.	2	1,500–1,800	...	.....	...	.....	...	.....
Judicial Commissioners	...	.....	2	(1) 3,000 (1) 2,750	...	.....	2	(1) 3,500 (1) 3,333⅓
District and Sessions Judges or Divisional Judges and District Judges.	22	(2) 3,000 (7) 2,500 (7) 2,250 (6) 2,000	18	(3) 2,500 (6) 2,325 (9) 1,800	30	(3) 3,000 (13) 2,500 (14) 2,000	28	(2) 3,000 (7) 2,500 (6) 2,250 (10) 1,833⅓ (3) 1,666⅔
Collectors or Deputy Commissioners.	27	(7) 2,500 (14) 2,250 (6) 1,800	29	(13) 2,325 (15) 1,800 (1) 1,500	39	(12) 2,250 (13) 1,800 (14) 1,500	54	(19) 2,250 (21) 1,833⅓ (10) 1,666⅔ (2) 1,500 (2) 1,000
Political Officers ...	1	2,800	3	.....	...	.....	...	.....
Miscellaneous posts ...	(a)4	(1) 2,500–3,000 (1) 1,800–2,000 (1) 1,500–1,800 (1) 1,500	(b)6	(1) 2,500–3,000 (1) 1,700 (1) 1,500 (1) 1,250–1,500 (2) 1,100	6 (c)	(1) 3,500 (1) 3,000 (1) 2,500–3,000 (1) 1,700 (1) 1,500 (1) 1,300	4 (d)	(2) 2,500–3,000 (1) 1,600 (1) 1,100
Under-Secretaries to Government.	3	1,000	2	1,250	2	1,100	3	(2) 1,000 (1) 800
Joint Magistrates or Assistant Commissioners, 1st grade.	20	1,200	...	.....	...	.....	...	.....
Joint Magistrates or Assistant Commissioners, 2nd (1st) grade.	16	900	17	900	17	900	22	(15) (e) 1,000 (7) (f) 800
Joint Magistrates or Assistant Commissioners, 3rd (2nd) grade.	16	700	18	700	17	700	20	700
Joint Magistrates or Assistant Commissioners, 4th (3rd) grade.	...	.....	..	.....	..	.....	...	.....
Assistant Collectors or Commissioners.	53	400—500	57	400—500	56	400—500	71	400—500
Appointments which do not carry fixed pay and the salary of which depends on the position of their holders.	...	.....	5	.....	...	.....	7	.....
Total ...	175	.....	171	.....	182	.....	228	.....

(a) Inspector-General of Police, Commissioner of Coorg, Registrar of High Court and Private Secretary to Governor.
(b) Inspector-General of Police, Registrar of High Court, Private Secretary to Governor, Assistant Legal Remembrancer, Assistant to Commissioner in Sind and Talukdari Settlement Officer.
(c) Chairman of Calcutta Corporation, Chairman of Calcutta Improvement Trust, Inspector-General of Police, Registrar of High Court, Private Secretary to Governor and Deputy Chairman of Calcutta Corporation.
(d) Inspector-General of Police, Opium Agent, Registrar of High Court and Assistant Judge.
(e) Includes City Magistrate of Lucknow.
(f) Includes an Assistant Judge.

DIX VIII.

Punjab.		Burma.		Bihar and Orissa.		Central Provinces and Berar.		Assam.	
No.	Pay.	No.	Pay.	No.	Pay.	No.	Pay.	No.	Pay.
	Rs.		Rs.		Rs.		Rs.		Rs.
1	8,333⅓	1	8,333⅓	1	8,333⅓	1	5,166⅔ (g)	1	5,166⅔
...	.....	...	.....	2	5,000	...	.....	...	.....
3	(1) 4,000 (2) 3,500	2	(1) 4,000 (2) 3,500	2	4,000	...	.....	...	.....
2	3,500	1	3,500	1	3,500	1	3,500	...	.....
5	2,750	9	2,750	5	2,916⅔	5	(3) 2,750 (2) 2,500	2	2,750
1	3,000	1	3,000	1	3,000	...	.....	...	.....
2	(1) 1,200-1,800 (1) 1,000-1,500	...	.....	...	.....	...	.....	...	.....
...	.....	1	3,500	...	.....	3	(1) 3,500 (1) 3,000 (1) 2,750	...	.....
24	(2) 2,750 (3) 2,500 (5) 2,250 (6) 1,800 (8) 1,500	14	(2) 2,750 (2) 2,250 (2) 1,800 (8) 1,500	12	(2) 3,000 (5) 2,500 (5) 2,000	1	2,500	(f)	.....
34	(10) 2,250 (11) 1,800 (13) 1,500	40	(12) 2,250 (13) 1,800 (15) 1,500	29	(9) 2,250 (10) 1,800 (10) 1,500	34(i)	(8) 2,250 (12) 1,800 (14) 1,500	19	(6) 2,250 (7) 1,800 (6) 1,500
...	.....	...	.....	...	.....	...	.....	...	.....
(g) 1	1,250	...	.....	1 (h)	2,500—3,000	...	.....	...	.....
2	1,000	...	.....	2	1,000	...	.....	2	1,000
...	.....	...	.....	...	.....	...	.....	...	.....
14	900	11	1,000	10	900	6	900	4	900
15	700	13	700	10	700	13	700	3	700
...	.....	10	600	...	.....	...	.....	...	.....
47	400—500	51	450—500	33	400—500	31	400—500	15	400—500
7	.....	14	.....	...	.....	6	.....	...	.....
158	.....	168	.....	109	.....	101	.....	46	.....

(g) Registrar of Chief Court.
(h) Inspector-General of Police.
(i) Includes Divisional Judges except the Senior Divisional Judge.
(j) Three District and Sessions Judges are graded with the Bengal cadre.

APPENDIX VIII—*concluded.*

DD.

Presidency or Province.	Collectors or Deputy Commissioners.							District and Sessions Judges, including Divisional and District Judges.							Joint Magistrates, Assistant Collectors and Assistant Commissioners.						
	Total number of appointments.	Appointments in the grades of Rs. 2,250 and over.		Appointments in the grades of Rs. 1,800 and over, but less than Rs. 2,250.		Appointments in the grades of Rs. 1,500 and over, but less than Rs. 1,800.		Total number of appointments.	Appointments in the grades of Rs. 2,250 and over.		Appointments in the grades of Rs. 1,800 and over, but less than Rs. 2,250.		Appointments in the grades of Rs. 1,500 and over, but less than Rs 1,800.		Total number of appointments.	Appointments in the grades of Rs. 900 and over, but below Rs. 1,500.		Appointments in the grades of Rs. 700 and over, but below Rs. 900.		Appointments in the grades of Rs. 500 and over, but below Rs. 700.	
		No.	Percentage.	No.	Percentage.	No.	Percentage.		No.	Percentage.	No.	Percentage.	No.	Percentage.		No.	Percentage.	No.	Percentage.	No.	Percentage.
Madras ...	27	21	77·8	6	22·2	...	...	22	16	72·7	6	27·3	...	...	105	36	34	16	15·3	53	50·4
Bombay ...	29	13	44·8	15	51·7	1	3·5	18	9	50	9	50	...	...	92	17	18·5	18	19·6	57	61·9
Bengal ...	39	12	30·8	13	33·3	14	35·9	30	16	53·3	14	46·7	...	...	90	17	18 8	17	18·8	56	62·2
United Provinces ...	54	19	35·2	21	38·9	14*	25 9	28	15	53·6	10	35·7	3	10·7	113†	15	13·3	27	23·9	71	62·8
Punjab ...	34	10	29·5	11	32·3	13	38·2	24	10	41·7	6	25	8	33·3	76	14	18·4	15	19·8	47	61·8
Burma ...	40	12	30	13	32·5	15	5	14	4	28·6	2	14·3	8	57·1	85	11	12·9	13	15·3	61	71·8
Bihar and Orissa ...	29	9	31·0	10	34·5	10	34·5	12	7	58·3	5	41·7	...	...	53	10	18·9	10	18·9	33	62·2
Central Provinces and Berar.	34	8	23·5	12	35·3	14	41·2	1	1	100	...	...	...	...	50	6	12	13	26	31	62
Assam ...	19	6	31·6	7	36·8	6	31·6	...	...	...	...	...	...	...	22	4	18·1	3	13·6	15	68·3

* Includes two hill Deputy Commissionerships which carry a pay of Rs. 1,000 each on account of their amenities.
† Includes City Magistrate, Lucknow, and an Assistant Judge on Rs. 800.

APPENDIX A.

Resolution of the Government of India, Home Department (Establishments), Nos. 1046-1058, dated Simla, the 19th August 1910.

The Governor-General in Council has had under consideration the recommendation made by the Royal Commission on Decentralization at the end of paragraph 128 of their Report on the subject of framing rules for the recruitment of provincial services. The majority of the Commission consider it unnecessary that rules for the recruitment of those services should, as is now the case, require the sanction of the Government of India, and they express the opinion that the functions of that Government should be limited to laying down a few general principles as to eligibility for appointment, etc., on which detailed provincial rules would be based.

2. In the present Resolution the Governor-General in Council proposes to deal only with the provincial civil services (executive and judicial). The case of other provincial services will be separately considered.

3. The present system, under which the previous sanction of the Government of India is required to making or altering the rules for the recruitment of the provincial civil services, was introduced in 1892, as the result of the Report of the Public Service Commission. The Governor-General in Council has now decided to accept in substance the recommendation of the Decentralization Commission, and is pleased accordingly to invest local Governments with the power to make rules for the recruitment of the provincial civil services without the previous sanction of the Government of India, but subject to their general control. The general conditions which should govern such recruitment have been already fully considered in connection with the inquiries made by the Public Service Commission, and the Governor-General in Council, upon a further consideration of the subject, sees no reason to modify the conclusions then arrived at. It will, however, be convenient to re-state them in the present connection, as follows :—

I. The rules must be adapted, on the one hand, to obtain thoroughly efficient candidates, and, on the other, to secure the due representation in the public service of the different classes of the community.

II. Every candidate for appointment by recruitment must furnish satisfactory evidence—

(*a*) that he is not over 25 years of age, except in the case of Barristers, Advocates, or Pleaders appointed to the Judicial Branch; these excepted cases will be governed by Article 51 of the Civil Service Regulations;

(*b*) that he has attained a prescribed preliminary standard of general education to be fixed by local Governments with reference to local conditions, the object being to secure men qualified by as high a standard of general education as the conditions and requirements of the local administration permit. In particular, qualification in one or more of the vernacular languages of the province in which he is to be employed is to be insisted on. The vernacular standard should be a high one, involving a thorough knowledge of the language and ability to write and read the written character with facility;

(*c*) that he is of sound health, good physique, and active habits; and

(*d*) that he is of good character.

III. Every person appointed to the provincial civil service by direct recruitment shall be subject to a period of probation or training, during which time his appointment will be probationary only, unless in special cases the local Government declares such probation or training to be unnecessary.

IV. The subjects of Native Princes in alliance with His Majesty shall be eligible for appointment, provided they are qualified in other respects.

V. Admission to the provincial civil service should usually be confined to persons who are Natives of the province or have definitely settled in it. In the case of candidates who are not Natives of the province, recent residence of at least three years in the province should, as a general rule, be an essential conditions of admission. No Barrister, Advocate, or Pleader should be appointed as such, unless he has been at least three years actually practising his profession in India and can speak the provincial vernacular.

VI. Europeans who are not statutory Natives of India shall be eligible for appointment, if qualified according to the above conditions, with the sanction of the Government of India.

VII. The local Government should reserve to itself the right to make promotion to the superior grades of the provincial civil service without regard to seniority, and seniority alone should not give a claim to appointment to the grade of Rs. 500 a month and higher grades.

VIII. The Government of India retain power in very special cases to make direct appointments to offices in the higher grades of the provincial civil services, and whenever the Government of India exercise this power in the case of judicial officers, it will be confined to Barristers, Advocates, or Pleaders of the High Courts who have shown distinguished ability in the exercise of their profession for not less than ten years and have a thorough knowledge of the vernacular.

A.—Provincial Civil Service.]

IX. No member of the provincial civil service shall be dismissed otherwise than on the result of a judicial or formal departmental inquiry.

4. The Governor-General in Council directs that any change made in the rules from time to time should be forthwith communicated to the Government of India in the Home Department, in order that they may be in a position to exercise effective general control. His Excellency in Council considers it desirable, moreover, that this resolution should be published by the local Governments and Administrations as part of the respective provincial rules.

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* Madras.
Bombay.
Bengal.
United Provinces.
Punjab.
Burma.
Eastern Bengal and Assam.

† Foreign.
Revenue and Agriculture.
Public Works.
Commerce and Industry.

ORDER.—Ordered that a copy of this Resolution be forwarded to the local Governments* and Departments of the Government of India† noted on the margin, and to the Honourable the Chief Commissioner of the Central Provinces for information.

A. EARLE,

Offg. Secy. to the Govt. of India.

APPENDIX B.

Office.	Rate of pay in Rupees.	Number of appointments in each grade.													
		Madras.	Bombay.			Bengal.	United Provinces.			Punjab.	Burma.	Bihar and Orissa.	Central Provinces.	Assam.	Total.
			Presidency proper.	Sind.	Total		Agra.	Oudh.	Total.						
Executive Branch.															
Deputy Collectors in Madras, Bombay, Bengal, the United Provinces and Bihar and Orissa. Extra Assistant Commissioners in the Punjab, Burma, Central Provinces and Assam.	800	3	...	...	2	5	...	...	4	3	3	4	2	1	27
	700	6	.	.	3	7	...	...	6	4	5	5	3	1	40
	600	8	...	...	7	16	..	...	12	5	10	12	6	3	79
	500	29	...	...	23	48	...	...	35	12	36	36	14	10	243
	400	32		...	23	71	..	.	53	24	36	52	23	14	328
	300	29	...	...	24	73	..	..	55	25	35	54	24	15	334
	250	30	...	...		79	...	...	58	(a)40		59	14	16	296
	200	...	...	...	...	...		...	...	...	...	...	12	...	12
Total ...	...	137	...	.	82	299		...	223	113	125	222	98	60	1,359
Mamlatdars ...	250	.	29	..	29	...	..	...	...	..	..	...	...	...	29
	225	...	34	...	34	...	...	...	...	..	...	...	...	..	34
	200	...	39	...	39		...	...	...	...	...	...	...	...	39
	175	...	45	...	45	...	...	...	..	...	...	...	...	...	45
	150	...	50	...	50	...	..		...	.	...	...	...	...	50
Total ..	...	...	197	...	197	...	...	...	..	...	...	...		.	197
Total (Executive Branch)	...	137	...	...	279	299	...	.	223	113	125	222	98	60	1,556
Judicial Branch.															
Subordinate Judges (also called Judicial Extra Assistant Commissioners in the Punjab and District Judges in the Central Provinces in the grades of Rs. 500 and upwards).	1,000	...	...	...	...	6	...	...	...	...	...	2	...	..	8
	800	4	3	1	4	12	3	2	5	3	1	6	2	...	37
	700	...	...	...	...	...	...	..	...	4	1	...	3	...	8
	650	5	4	1	5	...	7	3	10	...	...	...	...	...	20
	600	...	...	...	...	24	.	...	...	5	2	12	5	...	48
	500	9	8	1	9	...	9	7	16	12	8	...	5	...	59
	400	...	...	...	...	...	...	...	..	12	8	.	17	...	37
	300	...	...	...	...		...	.	...	12	9	..	16	...	37
Total ...	...	(d)18	15	3	18	(b)42	19	12	31	48	29	(b)20	48	(b)	254
Munsifs (also called Subordinate Judges, 2nd class, in Bombay).	500	..	...	..	...	12	...	...	...	...	...	..	...	...	12
	400	33	19	2	21	61	22	8	30	...	...	20	...	...	165
	300	33	22	4	26	70	24	8	32	...	..	19	...	...	180
	250	33	...	...	...	66	...	...	..	...	...	19	..	...	118
	200	29	36	5	41	36	22	10	32	...	...	10	...	...	148
	175	...	...	..	..	...		...	...		...	...	...	...	...
	150	...	12	3	15	.		...	...	...	...	...	...	...	15
Total ..	...	(e)128	89	14	103	(b)245	68	26	94	(c)	(c)	(b)68	(c)	(b)	638
Total (Judicial Branch)	...	146	104	17	121	287	87	38	125	48	29	88	48	...	892
GRAND TOTAL ...	...	283	...	...	400	586	...	...	348	161	154	310	146	60	2,448

(a) This grade is common to both the Judicial and Executive Branches.
(b) The Subordinate Judges and Munsifs employed in Assam are included in the Bengal cadre, and both that cadre and the Bihar and Orissa cadre have been shown above in accordance with the scale proposed by the Calcutta High Court. This matter is under discussion in connection with the recent teritorial changes.
(c) Munsifs in the Punjab and the Central Provinces and Judicial Myooks in Burma belong to the Subordinate Judicial Service, and are paid at rates ranging from Rs. 150 to Rs. 250 a month.
(d) Includes four appointments which have been added since the last general reorganization in 1884.
(e) „ three „ „ „ „ revision of the grades in August 1911.

B.

QUESTIONS RELATING TO THE INDIAN AND PROVINCIAL CIVIL SERVICES.

[Note.—In replies to these questions, it should be clearly specified whether the reply refers to the whole Provincial Civil Service, or to the Executive Branch or to the Judicial Branch.]

INDIAN CIVIL SERVICE.

1. What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?

2. In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?

3. Is the system equally suitable for the admission of "Natives of India"* and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?

* The term "Natives of India" has been defined in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India and not established there for temporary purposes only, and the term is so used throughout these questions.

4. Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons.

5. If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose.

6. In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?

7. What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?

8. If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular, do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?

9. If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?

10. Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?

11. Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system which you would propose.

12. Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter.

13. If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons.

14. What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?

15. What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India, and for other natural-born subjects of His Majesty?

16. What alterations, if any, do you recommend in the authorized syllabus of subjects and marks prescribed for the open competitive examination?

17. Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons.

18. Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons?

19. Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?

20. Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?

21. Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?

[B.—Indian and Provincial Civil Services.

22. If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your Province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?

23. Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers from other Indian services?

24. What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?

25. Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one quarter of the listed posts?

26. Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?

27. Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?

28. Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions.

29. Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?

30. If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?

31. Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend.

32. Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?

33. Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?

34. Do you think it desirable that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?

35. Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?

36. Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?

37. Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch.

38. Do you recommend any special course of study in law in India for officers selected for the Judicial Branch?

39. Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial Branch? If so, please give details.

40. Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend.

41. If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited.

42. Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals.

43. Please add such remarks as you may desire to offer on any points relating to the probation and training of members of the Indian Civil Service which are not covered by your answers to the foregoing questions.

44. Do you consider that the numbers of officers authorized for the various grades of the Indian Civil Service are satisfactory? If not, please state your views.

45. Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?

46. If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?

47. Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the Service?

48. Have you any proposals to make in regard to the leave rules applicable to members of the Indian Civil Service?

49. Have you any proposals to make in regard to the leave rules applicable to Statutory Civilians and to members of the Provincial Civil Services holding listed posts? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?

50. Please add such other remarks as you may desire to offer on any point relating to the conditions of service, salary, leave, and pension in the Indian Civil Service.

PROVINCIAL CIVIL SERVICE.

51. Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service and reproduced as Appendix A.* Are these conditions suitable, or have you any recommendations to make for their alteration?

52. In particular, are the rules for the recruitment of the Provincial Civil Service in force in your Province suitable, or have you any recommendations to make for their alteration?

53. Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?

54. Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?

55. Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections and what other arrangement you recommend?

56. Do you consider that the numbers of officers authorized for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views.

57. To what extent are the functions of the officers of the Executive and Judicial Branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?

58. Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?

59 Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?

60. Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?

61. Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?

62 Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?

63. Are you satisfied with the present system of superannuation pensions for officers of the Provincial Civil Service? If not, please say what modifications you would suggest and on what grounds?

64. Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable.

65. Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them.

* *Vide* p. xxxiii.

ROYAL COMMISSION ON THE PUBLIC SERVICES IN INDIA.

MINUTES OF EVIDENCE

TAKEN BEFORE THE

ROYAL COMMISSION

ON THE

PUBLIC SERVICES IN INDIA.

At Nagpur.

Saturday, 15th March 1913.

THIRTY-SECOND DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.
SIR MURRAY HAMMICK, K.C.S.I., C.I.E.
SIR THEODORE MORISON, K.C.I.E.
MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.
WALTER CULLEY MADGE, Esq., C.I.E.
FRANK GEORGE SLY, Esq., C.S.I.
HERBERT ALBERT LAURENS FISHER, Esq.
JAMES RAMSAY MACDONALD, Esq., M.P.

And the following Assistant Commissioners :—

BERTRAM PRIOR STANDEN, Esq., C.I.E., I.C.S.
Officiating Commissioner, Berar.

RAO BAHADUR KASINATH KESHAB THAKUR, I.S.O., District and Sessions Judge, West Berar Division.

MAHDI HASAN, Esq., I.S.O., Extra Assistant Commissioner, Jubbulpore.

M. S. D. BUTLER, Esq., C.V.O., C.I.E. (*Joint Secretary*).

JOHN HULLAH, Esq., I.C.S. (Examined on written answers put in by the Local Government.)

Written answers relating to the Indian Civil Service.

33499 (26). Give a list of the "Natives of India" now serving in your Province who were recruited to the Indian Civil Service by means of open competition in England, stating in what year they were admitted, in which posts they are now serving and their present rate of salary ?—

Name.	Year in which admitted to the service.	Post in which now serving.	Present salary.
			Rs. Rs.
1. Mr. P. S. Patuck, I.C.S.	1898	Assistant Commissioner, 1st Class (Provisional), and Officiating Deputy Commissioner, 3rd Class.	900 + 400 = 1,300
2. Mr. G. A. Khan, I.C.S.	1899	Assistant Commissioner, 2nd Class, and Officiating Deputy Commissioner, 3rd Class.	700 + 533⅓ = 1,233⅓
3. Mr. C. B. N. Cama, I.C.S.	1903*	Assistant Commissioner, 3rd Class, and Officiating Assistant Commissioner, 1st Class, Additional District and Sessions Judge, Berar.	500 + 266⅔ = 766⅔
4. Mr. B. N. De, I.C.S.	1906	Assistant Commissioner, 3rd Class, and Officiating Assistant Commissioner, 2nd Class.	500 + 200 = 700
5. Mr. G. V. Bewoor, I.C.S.	1912	Assistant Commissioner, 3rd Class, under training.	400

* Arrived in India in January 1904.

33500 (29). What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your Province? Please distinguish in your reply between (*a*) Military officers, and (*b*) others; and give details of the latter?—In the Central Provinces there is only one officer, Mr. H. R. Crosthwaite, thus recruited. In Berar the whole Commission was specially recruited under the Foreign Department of the Government of India, to fill the administrative posts of the Province. The Berar Commission is gradually disappearing, and its posts are being absorbed in the Central Provinces Commission. So far as it now remains, the Berar Commission contains (*a*) 5 Military Officers, and (*b*) 7 others (including Mr. Rustomji, a member of the Berar Commission, now transferred to the Central Provinces Commission). The details of (*b*) Others are as follows:—Mr. Rustomji Faridoonji, Mr. F. W. A. Prideaux, Mr. A. C. Currie, Mr. Syed Muin-ud-din Khan, Mr. F. L. Crawford, Mr. Kashinath Sriram Jatar, Mr. A. D. St. C. Barr.

33501 (31). If the system of recruiting military officers in India has been stopped, or has never existed in your Province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent should it be adopted?—The system of recruiting military officers for the Central Provinces Commission has been stopped, *vide* Despatch No. 81, dated the 13th July 1876, from the Secretary of State for India. The Chief Commissioner considers that the practice should not be revived.

33502 (32). Do you consider that such a system should be restricted to the recruitment of military officers or extended to the recruitment of selected officers from other Indian services?—The Chief Commissioner considers that there should not be recruitment of selected officers from other Indian Services.

33503 (33). Please now refer to the rules, dated 26th August 1910, made in exercise of the powers conferred by section 6 of the Government of India Act, 1870 (33 Vict., c. 3), and reproduced as Appendix IV, and to the statement in Apppendix V to these questions, showing the number of offices, places, and appointments, commonly known as listed posts, ordinarily held by members of the Indian Civil Service, to fill which it has been declared that members of the Provincial Civil Service can properly be appointed; and say whether the figures given are correct for your Province?—The figures given are correct. The two Assistant Commissionerships are, however, not listed as such. They have long been merged in the Provincial Service as Extra Assistant Commissionerships, like two Small Cause Court Judgeships which were also "listed," but were afterwards merged in the cadre of the Provincial Service.

33504 (34). Are all the posts thus listed ordinarily and regularly filled by "Natives of India?" If not, please state for the last five years to what extent there has been any failure to work up to the authorised list, and explain the reasons?—All the listed posts have always been filled by "Natives of India" except on two occasions, when for very short periods a post was held by an Indian Civilian. (Even on one of these occasions the Indian Civilian, Mr. Cama, happened to be a "Native of India.") The occasions were as follows:—In June 1910, Mr. Thakur, Divisional and Sessions Judge, Hoshangabad, went on leave for a month and for this very short period the most convenient arrangement was for Mr. Cama, I.C.S., to hold the post in addition to his own duties. Again, in June 1910, Mr. Sanyal, Divisional and Sessions Judge, Jubbulpore, proceeded on a year's leave, and Mr. Findlay, I.C.S., was appointed to officiate in his place. But this appointment was three months afterwards compensated for by the appointment of Mr. Kelkar, of the Provincial Service, in September 1910, *vice* Mr. Prideaux as District and Sessions Judge, Berar, a post preserved for members of the Commission. Moreover, in the year before Mr. Findlay's appointment Rao Bahadur Ramkrishna Rao Pandit, a member of the Provincial Service, had held for eight months the post of Deputy Commissioner of Betul, in addition to the three listed posts always held by "Natives of India," the appointment being made under sections 3 and 4 of the Statute 24 and 25 Vict., cap. 54.

33505 (35). To what extent also during the last five years have these listed posts been filled—(*a*) by members of the Provincial Civil Service, (*b*) by other "Natives in India"? Please give the names and positions of the latter, if any?—During the last five years the listed posts have always been filled by members of the Provincial Civil Service.

33506 (36). Has the power to fill one quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilised and in what directions?—This power has not been regularly exercised. The only appointment of a "Native of India," not a member of the Provincial Service, to a listed post was that of Mr. H. J. Stanyon, C.I.E., Barrister-at-Law, who was appointed to a Divisional and Sessions Judgeship, when such a post was first listed in 1897. Excluding posts which have been merged in the cadre of the Provincial Service, there are now six listed posts, *viz.*, 3 in the Central Provinces and 3 in Berar, but the 3 Berar posts are not to be filled by non-members of the Commission till the disappearance of Messrs. Rustomji, Muin-ud-din and Jatar, who are members of the Commission. The 3 Central Provinces posts are now all held by Provincial Service men, and none of them can be given to any other "Native of India" without violating the three-fourths rule.

33507 (37). Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(*a*) to the members of the Provincial Civil Service; and (*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?—The Chief Commissioner does not believe that the members of the Provincial Civil

Service or the public are ordinarily aware of the system by which the inferior listed posts are merged in the Provincial Civil Service. As the present system of recruitment and fixing the strength of the cadre is based solely on the number of Superior posts, it seems practicable to list only Superior posts, since deficiencies in the inferior staff required for the working needs of the Province are supplied, not by creating and listing inferior posts, but by creating appointments in the Provincial Service.

33508 (38). Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—The classes of posts listed are suitable.

33509 (40). Please now turn to the Indian Civil Service Act, 1861 (24 and 25 Vict., cap. 54), which will be found in Appendix II to these questions, and say how many "Natives of India" have been appointed permanently to posts in your Province under its provisions during the last five years, giving names and the nature of the posts so filled?—No such appointments have been made.

33510 (41). Are there any other ways in which "Natives of India" are appointed to your Province to Civil Service posts? If so, please give details of the same?—No.

33511 (72). The present theory underlying the conditions of service in the Indian Civil Service is that—(*a*) the members of the Service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—The Chief Commissioner accepts the system as generally suitable. He considers that, although the period of eight years may result in an officer being as much as 33 years of age before he ordinarily receives the pay of a superior post, yet this period cannot be reduced, since a shorter period will not give an officer sufficient experience to fit him for the headship of a district or for a Sessions Judgeship. If the age of recruitment, *i.e.*, the age at which an officer joins the Service, is reduced to, say, 22, it does not seem necessary to lengthen the period during which inferior posts are ordinarily held, since after eight years' service an officer will be 30 years of age, and this age is not too young for the incumbency of a superior post, considering the length of training that will have been received. Moreover, under present policy greater stress is to be laid than hitherto on selection and efficiency when making appointments to superior posts like the headship of a district.

33512 (73). It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior posts," and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?—The Chief Commissioner accepts this arrangement as suitable.

33513 (74). Please show in a tabular statement for the last five years, quarter by quarter, with footnotes, giving the names, the total net number of officers who have failed to obtain promotion in accordance with the principles set out in the preceding questions, and say whether any inconvenience, and if so what, has been caused thereby to the Administration?—Statement A appended gives the *net* number for each quarter during the last five years, *i.e.*, the number of officers of over eight years' service drawing salary of less than Rs. 1,000 *minus* the number of officers of under eight years' service drawing salary of more than Rs. 1,000. Statements B and C appended give the names in detail, as they are far too numerous to be shown in footnotes. Statement A shows alternatively the position including and excluding men on leave. The figures show that in 1908 and 1909 promotion of junior men was not up to the recognized standard; in 1910 it was slightly better than the standard; but since that year there has been very serious congestion, and promotion has been far below the recognized standard.

A.

Statement showing the total net *number of Indian Civil Service officers of over eight years' service in receipt of salary of less than Rs. 1,000 a month.*

Year.	Including officers on leave.				Excluding officers on leave.			
	January.	April.	July.	October.	January.	April.	July.	October.
1908 . .	11	9	7	4	8	6	4	2
1909 . .	11	7	1	1	8	3	... (*aa*)	... (*bb*)
1910 . .	2	1	... (*a*)	... (*b*)	... (*cc*)	...	... (*dd*)	... (*ee*)
1911 . .	13	13	13	11	9	8	7	5
1912 . .	16	12	10	13	13	7	4	6

(*a*) In this quarter there was a net excess of 6 in favour of men of *under* 8 years' service who draw over Rs. 1,000.
(*b*) Do. do. 3 do. do. do. do.
(*aa*) Do. do. 4 do. do. do. do.
(*bb*) Do. do. 4 do. do. do. do.
(*cc*) Do. do. 1 do. do. do. do.
(*dd*) Do. do. 7 do. do. do. do.
(*ee*) Do. do. 4 do. do. do. do.

B.

Statement showing for each quarter of the last 5 years the names of officers of the Indian Civil Service of over eight years' service not holding posts carrying salary of Rs. 1,000 a month.

Year.	January.	April.	July.	October.
1908	Poynting.	Poynting.	Patuck.	Findlay. *A*
	Nunn.	Nunn.	Bell.	Hullah.
	Chamberlain.	Patuck.	Findlay. *A*	Khan. *A*
	Patuck.	Bell.	Hullah.	Nelson.
	Bathurst.	Findlay. *A*	Khan. *A*	Ley.
	Bell.	Hullah.	Nelson. *A*	
	Findlay. *A*	Khan. *A*	Ley.	
	Hullah.	Nelson. *A*		
	Khan. *A*	Ley.		
	Nelson. *A*			
	Ley.			
1909	Batchelor. *A*	Batchelor. *A*	Batchelor. *A*	Marten. *A*
	Chamberlain.	Bathurst. *A*	Bathurst. *A*	Bachelor. *A*
	Bathurst. *A*	Bell.	Hullah. *A*	Bathurst. *A*
	Bell.	Hullah. *A*	Khan. *A*	Hullah. *A*
	Findlay.	Khan. *A*	H. E. Hemingway. *A*	Ley. *A*
	Hullah.	Hance.		
	Khan. *A*	H. E. Hemingway.		
	Nelson.			
	Ley.			
	Hance.			
	H. E. Hemingway.			
1910	Batchelor. *A*	Batchelor (on Spl. Duty).	Ley. *A*	Bathurst. *A*
	Hullah. *A*	Ley. *A*	Graham.	Graham.
	Ley. *A*	Graham.		
	Graham.			
1911	Poynting. *A*	Poynting. *A*	Poynting. *A*	Poynting. *A*
	Hullah.	Hullah.	Khan. *A*	Khan. *A*
	Khan. *A*	Khan. *A*	Nelson.	Hance.
	Nelson (*under G. of I.*).	Nelson.	Ley.	H. E. Hemingway.
	Ley.	Ley.	Hance.	Macnair. *A.*
	Hance.	Hance.	H. E. Hemingway.	Wills.
	H. E. Hemingway.	H. E. Hemingway.	Macnair. *A*	Trench.
	Wills.	Wills.	Wills.	Graham. *A*
	Trench.	Trench.	Trench.	Crosthwaite.
	Graham. *A*	Graham. *A*	Graham. *A*	Smith.
	Crosthwaite. *A*	Crosthwaite. *A*	Crosthwaite.	R. A. Wilson. *A*
	Smith.	Smith.	Smith.	Gowan. *A*
	R. A. Wilson.	R. A. Wilson.	R. A. Wilson. *A*	
	Gowan.	Gowan. *A*	Gowan. *A*	

A = on leave.

Statement showing for each quarter of the last 5 years the names of officers of the Indian Civil Service of over eight years' service not holding posts carrying salary of Rs. 1,000 a month—contd.

Year.	January.	April.	July.	October.
1912	Chamberlain. *A* Khan. Nelson. Ley. Hance. H. E. Hemingway. *A* Macnair. *A*. Wills. Trench. Graham. Crosthwaite. Smith. R. A. Wilson. Gowan. Dyer. Mitchell.	Chamberlain. *A* Nelson. Hance. *A* H. E. Hemingway. *A* Macnair. *A* Trench. Graham. Crosthwaite. Smith. *A* R. A. Wilson. Gowan. Dyer. Mitchell.	Chamberlain. *A* Hance. *A* H. E. Hemingway. *A* Macnair. Wills. Crosthwaite. Smith. *A* R. A. Wilson. Cama. *A* Dyer. Mitchell.	Chamberlain. *A* Bell. *A* Hance. *A* H. E. Hemingway. *A* Macnair. *A* Trench. Graham. Crosthwaite. Smith. *A* R. A. Wilson. Gowan. Cama. *A* Dyer.

A=on leave.

C.

Statement showing for each quarter of the last 5 years the names of officers of the Indian Civil Service of less than 8 years' service who draw salary over Rs. 1,000 a month.

Year.	January.	April.	July.	October.
1908	.....	.....	.....	Smith.
1909	.....	.....	Trench. Crosthwaite. Smith. Dyer.	Trench. Crosthwaite. Smith. R. A. Wilson.
1910	Smith. R. A. Wilson.	Smith. R. A. Wilson.	Smith. R. A. Wilson. Gowan. Cama. Dyer. Mathias. Corbett. De.	Smith. R. A. Wilson. Gowan. Dyer. Mathias.
1911	Cama.	Cama.	Cama.	Cama.
1912	.....	R. Hamilton.	Brown.	.....

33514 (75). Please now see the statement marked AA and the list marked *Central Provinces and Berar=H*, which have been reproduced in Appendix VII to these questions, and say whether they are correct for your Province. If not, please state what amendments are necessary?—Statement AA is correct, but List H is incorrect in showing 8 Deputy Commissioners on Rs. 2,250, and the foot-note is incorrect in including the Inspector-General of Police among these Deputy Commissioners. The Inspector-General of Police is selected from the ranks of Deputy Commissioners, is seconded, and draws the pay of his grade *plus* a local allowance of Rs. 450, subject to a maximum of Rs. 2,500. But he may be in any grade of Deputy Commissioners (the present incumbent is in the second grade on Rs. 1,800), and should be

shown separately on the statement. The statement thus makes the Central Provinces grading of Deputy Commissioners, which is very unfavourable as compared with that in other Provinces, appear to be better than it really is. Three out of the seven Deputy Commissionerships shown as on Rs. 2,250 belong to the Berar cadre and carry pay of only Rs. 1,833⅓ when held, as at present, by Berar officers. Similarly two out of the 12 Deputy Commissionerships shown as on Rs. 1,800 belong to the Berar cadre and carry pay of only Rs. 1,666⅔ when held as at present by Berar officers.

33515 (76). Is any difficulty experienced by the Administration in working with the number of superior posts shown in the list for your Province? Do all the posts entered as superior carry a salary of more than Rs. 1,000 *per mensem*, and are they all such as are ordinarily held by officers in the Indian Civil Service? If not, what changes, if any, do you suggest?—There are six posts which do not necessarily carry pay of Rs. 1,000 *per mensem*, namely, those of 4 Settlement Officers, the Director of Agriculture and the Registrar of Co-operative Credit Societies. These carry only the salary of their grade *plus* a local allowance of Rs. 150 *per mensem*, and, except the post of Director of Agriculture, have always been held up to the present by Assistant Commissioners. Even the post of Director of Agriculture is at present held by an Assistant Commissioner of the Second Class. On the 1st January 1913 not one of the Settlement Officers was in receipt of a salary of more than Rs. 900 *per mensem*, and during the last two years it has been most exceptional for any Settlement Officer to draw over Rs. 1,000 as salary. All the posts shown in the list (excluding of course such of them as are "listed") are such as are ordinarily held by Indian Civil Service Officers or by members of the Commission. It has been shown above that the appointments of Director of Agriculture, Registrar of Co-operative Credit Societies and four Settlement Officers, are not necessarily superior posts. The work performed by these officers is such that a salary of at least Rs. 1,000 should always be attached to their posts, and it is often inconvenient to secure this by selecting men to fill them who are of sufficient seniority to officiate permanently as Officiating Deputy Commissioners. If the pay of these posts was so regulated that they must always command a salary of more than Rs. 1,000, no difficulty would be experienced in working with the number of superior posts shown in the list for the Province.

33516 (77). Does the number of superior posts shown as held directly under the Government of India correspond with the actual experience of the last five years? If not, please give particulars of the discrepancies, and say whether you consider any change of practice in this respect to be desirable. (Attention is invited in this connexion to List J in Appendix VII to these questions)?—For purposes of answering this question, the position on the 1st July 1908 to 1912 will be taken, *i.e.*, for five years as desired. (ii.) In 1908 apparently, and in 1909* certainly, there were 62 superior posts under the Government of India, of which 5 represented the number nominally allotted to the Central Provinces. In 1912, however, the Government of India reduced their number of superior posts, which is now only 58 according to List J in Appendix VII to these questions, and the nominal allotment to the Central Provinces has been reduced to 4. (iii.) The following table shows how far superior posts under the Government of India have been held by Central Provinces Officers in the last five years:—

Date.	Number of superior posts allotted to the Central Provinces.	Number actually held by Central Provinces Officers.
1st July 1908 . .	5	2 (or 3) †
1st July 1909 . .	5	3
1st July 1910 . .	5	5
1st July 1911 . .	5	4
1st July 1912 . .	4	4

(† It is doubtful whether Mr. Macnair, I.C.S., should be included. He was officiating on Rs. 833 in a post on Rs. 1,000 in the Finance Department, but this was apparently not a superior post. Next year he appears to have held a superior post, and is included in 1909.)

It will be seen that in three out of the five years the number of superior posts fell short of the number nominally allotted to the Central Provinces. But no change of practice seems necessary. Actually and always to take from a Province the exact number of men required to fill the posts allotted to it might result in exclusion of more suitable men from elsewhere, the disadvantage of which would be greater than that which may result from a slight excess or defect in actual as compared with theoretical figures. The Government of India have recently reduced the number of their superior posts by 4, and this Province is one of those which has been chosen to share in the reduction. At present we have four officers holding posts classed as superior by the Government of India, *viz.*, Sir R. Craddock, Sir C. Cleveland, Mr. A. M. Brigstocke and Mr. P. Eccles, and ordinarily this number may be expected to be filled by Central Provinces men.

33517 (78). Does the number of superior posts allowed for temporary appointments and deputations correspond with the actual experience of (say) the last five years? If not, please give particulars of the discrepancies and say whether you consider any change of practice in this respect to be desirable?—A superior post is a post carrying a salary of over Rs. 1,000. Salary apparently does not include deputation allowance [*vide* Article 38 (*c*), Civil Service Regulations, and the separate mention of salary and deputation allowance in Article 78]. Deputation allowances have therefore been excluded in considering what officers on deputation may be regarded as having held superior posts. The number of men actually on duty is ordinarily largest on 1st January and smallest on 1st July. The Civil Lists for both these dates have therefore been examined, and the examination has been made for the last five years as desired.

* Paragraph 7 of Home Department Despatch No. 25, dated 24th June 1909.

The following table shows what officers have been on deputation in superior posts :—

January.				July.			
Year.	Name of Officer.	Salary.	Total No. of Officers.	Year.	Name of Officer.	Salary.	Total No. of Officers.
		Rs.				Rs.	
1908	C. E. Low	1,800	2	1908	C. E. Low	1,800	1
	R. V. Russell	1,800					
1909	C. R. Cleveland	2,250	2	1909	C. R. Cleveland	2,250	2
	C. E. Low	1,800			H. Bell	1,233	
1910	C. R. Cleveland	2,250	2	1910	J. T. Marten	1,300	3
	H. Bell	1,233			A. E. Nelson	1,233	
					H. Gowan	1,166	
1911	F. A. T. Phillips	2,750	2	1911	J. T. Marten	1,800	1
	J. T. Marten	1,500					
1912	F. A. T. Phillips	2,750	4	1912	W. N. Maw	1,800	3
	J. T. Marten	1,500			J. T. Marten	1,800	
	C. G. Leftwich	1,500			C. S. Findlay	1,233	
	J. A. Bathurst	1,233					

The average number in January has been 2·4 and in July exactly 2, which is precisely the number of superior appointments on deputation allowed for in recruiting to the Central Provinces cadre. Those posts under the Government of India which appear in their list of superior posts have of course been excluded, since a separate allowance of posts is made to each Province on account of these.

33518 (79). Does the arrangement by which officers, recruited against temporary superior posts, are shown in the lowest grade, work satisfactorily? If not, what change of practice appears to you to be necessary?—The arrangement appears to work satisfactorily and no change seems necessary.

33519 (80). Does the allowance of 39 per cent. on the number of superior posts give the right number of junior officers for the work of the administration of your Province? If not, please state what excess or deficiency in your opinion exists giving your reasons in detail?—Yes. The allowance of 39 per cent. causes no excess or deficiency.

33520 (81). Junior officers are considered to be under training during the first two years of their service. Does this approximate to the actual conditions? If not, what alteration is necessary in the percentage of 15·5 allowed for training?—This approximates to actual conditions, and no change seems necessary.

33521 (82). Does the leave allowance of 32·7 per cent. for superior posts, 6·7 per cent. for inferior posts, and ·6 per cent. for training posts, approximate to the actual conditions? If not, please state what alteration is desirable?—Information has been taken from the Civil Lists for January, April, July and October, for each of the last five years, and the average leave percentages compare as follows with those assumed in the scheme of recruitment :—

Class.	Actual.	Assumed in the scheme of recruitment.
1. Men of over 8 years' service	32·4	32·7
2. Men of 3—8 years' service	8·1	6·7
3. Men of 1 and 2 years' service	·3	·6
TOTAL	40·8	40

These figures do not give any reason to doubt the general accuracy of the accepted leave-percentages.

33522 (83). Does the annual decremental rate of 4·17 per cent. on the total strength of the Service correspond with the actual experience of the last 20 years? If not, please give the actual facts for this period and suggest a suitable figure, with reasons in support of the same?—In these Provinces during the last 20 years there have been so many retirements of Military Civilians and Uncovenanted Officers, and so many Officers brought from other Provinces have returned to their Provinces, that no information can be given that would be of value in comparing the decremental rate with the strength of the Service.

33523 (84). Does the theoretical strength of the Service correspond ordinarily with its actual strength? If not, please state the facts and, in particular, offer any remarks which may suggest themselves with regard to the existing discrepancy shown in the statement marked BB which is included in Appendix VII to these questions.—(*N. B.*—The figure 104 shown against the Central Provinces in column 3 of Statement BB in Appendix VII is incorrect. The correct figure is 103, as Mr. Farran died before the 1st July 1912, though his name appeared in the Civil List for

that date.) The figures for the last ten years are as follows:—(The date taken is the 1st July.)

Year.	Theoretical (sanctioned) strength.	Actual strength.
1903	73	72
1904	95	99
1905	98	101
1906	98	101
1907	98	96
1908	101	98
1909	105	97
1910	105	101
1911	107	106
1912	99	103

It is difficult to criticise the scheme of recruitment from a consideration of these figures. In 1904 there was a general rise in the sanctioned strength, owing to the amalgamation of Berar with the Central Provinces, but the actual strength of the Berar Commission was not the result of any scientific system of recruitment. Moreover, the Berar Commission included an unusually large proportion of non-effectives serving outside the Provinces on foreign service, who are nevertheless necessarily included in the figures of actual strength. By 1911 the Berar Commission had become very small (12 officers) but was effective, only one officer being absent from the Province. Conditions as regards the effectiveness of the strength in the combined Provinces had thus become normal, and the actual strength of 106 was almost exactly equal to the sanctioned strength of 107. In 1911, however, the sanctioned strength was suddenly reduced to 99 by the reduction of 4 superior posts. Three Deputy Commissionerships were "listed" in Berar, and the number of Government of India superior posts allotted to the Central Provinces was reduced from 5 to 4, as the Government of India reduced the number of their superior posts ordinarily reserved for members of the Indian Civil Service. It is this sudden reduction in the sanctioned strength which is alone responsible for the discrepancy shown in Statement BB of Appendix VII. Had it not been for this reduction the sanctioned strength of 107 would have been exactly equal to the actual strength at the present time (January 1913), whereas the actual now exceeds the sanctioned strength by 8. The effect of sudden change has been to convert recent recruitment from being normal, or almost so, to excessive, and the result must inevitably be to intensify the present block of promotion among the juniors, or at least to retard recovery therefrom. A scheme is now in course of submission for the complete reorganization of the Judicial Department. This scheme provides for 12 District and Sessions Judgeships, which will raise the number of superior posts in the whole cadre from 51 to 56. The "sanctioned strength" (at 194·5 per cent. of the superior posts) will then be raised from 99 to 109, thus causing the disappearance of the present excess of actual over sanctioned strength.

33524 (85). Do you consider that the present system of a quinquennial examination of the conditions of service is adequate to regulate the rate of recruitment and flow of promotion? If not, what alterations do you recommend?—Ordinarily a quinquennial examination should be sufficient, but if in any Province the strength of the cadre is suddenly and materially altered, like the recent sudden reduction of 8 per cent. in the Central Provinces [*vide* answer (84)], then a special enquiry is necessary regarding conditions in the Province concerned.

33525 (86). State the principles on which the annual indent for recruitment to the Indian Civil Service is regulated. Do you consider that accurate results are attained thereby? If not, what alterations do you recommend?—Accurate results appear to be attained if the system is strictly adhered to. The main point to be noticed, in considering the working of the system in these Provinces and its effects on promotion, is that the present excess of the actual over the sanctioned strength of the Commission is due solely to the sudden reduction of the number of superior posts, as described in answer (84). The recent listing of three Berar posts has had the effect of changing recent recruitment from normal to excessive, and it may fairly be urged that all the officers who have been recruited to man a sanctioned strength of over 99 have been deprived of reasonable expectations of promotion since they have been deprived of superior posts for which they were recruited. A further unsatisfactory feature of the working of the present system is that the so-called superior posts include 6 appointments which need not carry a salary of over Rs. 1,000, namely, those of Director of Agriculture, Registrar of Co-operative Credit Societies and four Settlement Officers.

33526 (87). Are you satisfied that, under the existing system of promotions, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—As regards selection for higher appointments and the compulsory retirement of inefficient officers, the Chief Commissioner agrees with the views of the Government of India, as expressed in their Despatch No. 20, dated the 19th September 1912.

33527 (88). To what extent are the functions of the officers of the Executive and Judicial branches of the Indian Civil Service differentiated? Is any change desirable and, if so, in what directions?—*A.—Criminal.*—So far as the trial of Sessions cases and appeals from First Class Magistrates is concerned, the functions of the Judicial and Executive branches of the Service are absolutely differentiated. The Executive branch of the Service exercises magisterial functions. Junior members of the Judicial branch are also sometimes given magisterial work in order to train them for Sessions Judgeships. *B.—Civil.*—Civil cases in all stages are tried almost exclusively by Judicial officers who have no executive functions. The only exceptions are necessitated by the provisions of the Tenancy Act. Under section 97 of that Act, original suits between landlords and tenants as such, must be tried by a Revenue officer. Such are (*i*) suits for ejectment of a tenant, (ii) suits to recover possession after illegal ejectment, and (iii) suits for arrears of rent. These are triable by officers of the Executive branch, who, for this purpose, are appointed Additional Subordinate Judges, but appeals from their decisions lie to Judges who have no executive functions.

Similarly, under section 85 of the Tenancy Act, orders for the ejectment of a tenant in execution of a decree for arrears of rent must be executed by Revenue officers, who are members of the Executive branch, but in such cases the Appellate Court is also that of a Revenue officer. Under section 68 of the Code of Civil Procedure decrees for the sale of interests in agricultural land are transferred to the Collector for execution, and the functions of the Collector in such cases are exercised only by officers of the Executive branch of the Service. Appeals in such cases are also decided by officers of the Executive branch. *C.—Revenue.*—Both original and appellate revenue cases are decided by officers of the Executive branch.

33528 (90). Please see the two statements contained in Appendix VIII to these questions showing the various rates of pay drawn by officers holding posts in the Indian Civil Service cadre and the grading of each class of post for the different Provinces, and say whether they are correct for your Province?—The figures in Statement CC of Appendix VIII are correct for the Central Provinces, with exceptions as noted below:—

The number of Collectors or Deputy Commissioners in the Central Provinces is 33 and not 34, *viz.*, 7 in the 1st class (4 on Rs. 2,250 and 3 on Rs. 1,833-5-4), 12 in the 2nd class (10 on Rs. 1,800 and 2 on Rs. 1,666-10-8) and 14 in the 3rd class. The lower-paid posts in the 1st and 2nd classes belong to the Berar cadre and are still held by officers of the Berar Commission. The 8 Collectorships of the 1st class probably include the Inspector-General of Police, but this officer receives the pay of his grade *plus* a local allowance. He may be in any grade, and the present incumbent is a 2nd class Deputy Commissioner. The actual number of Assistant Commissioners of the 3rd class was 41 on Rs. 400—500 (*vide* Civil List for 1st July 1912). The number of "Appointments which do not carry fixed pay and the salary of which depends on the position of their holders" should be 7 and not 6, *viz.*, the Inspector-General of Police, the Director of Agriculture, the Registrar, Co-operative Credit Societies, and four Settlement Officers.

II. Since the total number of appointments of Deputy Commissioners and Assistant Commissioners should be altered as shown above the number and percentage of appointments given in Statement DD require modification as shown below:—

DEPUTY COMMISSIONERS.							ASSISTANT COMMISSIONERS.							
Total number of appointments.	Appointments in the grades of Rs. 2,250 and over.		Appointments in the grades of Rs. 1,800 and over but less than Rs. 2,250.		Appointments in the grades of Rs. 1,500 and over but less than Rs. 1,800.		Total number of appointments.	Appointments in the grades of Rs. 900 and over but below Rs. 1,500.		Appointments in the grades of Rs. 700 and over but below Rs. 900.		Appointments in the grades of Rs. 500 and over but below Rs. 700.	
	No.	Per centage.	No.	Per-centage.	No.	Per-centage.		No.	Per-centage.	No.	Per-centage.	No.	Per-centage.
33	4	12·1	13	39·4	16	48·5	60	6	10	13	21·6	41	63

But if after disappearance of members of the Berar Commission the Berar posts are held by Indian Civilians on the Central Provinces rates of pay, Statement DD will be as follows:—

DEPUTY COMMISSIONERS.							ASSISTANT COMMISSIONERS.							
Total number of appointments.	Appointments in the grades of Rs. 2,250 and over.		Appointments in the grades of Rs. 1,800 and over but less than Rs. 2,250.		Appointments in the grades of Rs. 1,500 and over but less than Rs. 1,800.		Total number of appointments.	Appointments in the grades of Rs. 900 and over but below Rs. 1,500.		Appointments in the grades of Rs. 700 and over but below Rs. 900.		Appointments in the grades of Rs. 500 and over but below Rs. 700.	
	No.	Per-centage.	No.	Per-centage.	No.	Per-centage.		No.	Per-centage.	No.	Per-centage.	No.	Per-centage.
33	7	21·2	12	36·4	14	42·4	60	6	10	13	21·6	41	68·3

33529 (91). Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Service authorised on the 1st April of each of the following years:—1860, 1870, 1880, 1890, 1900 and 1912?—The information is given as far as possible in the appended statement. In 1860 the Provinces had not been formed. For 1870, and (in the case of Berar) for 1880, the information is not available among the records of this Administration or in the Comptroller's office.

Statement showing the rates of pay and the number of posts in each of the main grades of the Service authorised on the 1st April of each of the years noted below:—

Main grades of Service.	1860.		1870.		1880.(b)		1890.		1900.		1912.	
	Rates of pay	No. of posts.	Rates of pay.	No. of posts.	Rates of pay.	No. of posts.	Rates of pay.	No. of posts.	Rates of pay.	No. of posts.	Rates of pay.	No. of posts.
Chief Commissioner.	The information for this year and the Provinces were not formed in this year is not available.		The information is not available.		Rs. a. p. 4,166 10 8	1	Rs. a. p. 4,166 10 8		Rs. a. p. 4,166 10 8	1	Rs. a. p. 5,166 10 8	1
Financial Commissioner.		do.			.....	...	.....	...	.....	...	3,500 0 0	1
Judicial Commissioner.					3,166 10 8	...	3,166 10 8 2,750 0 0 (d)	2	3,166 10 8 2,750 0 0 (d)	2	3,500 0 0	1
First Additional Judicial Commissioner.					.....	...	.....	...	.....	...	3,000 0 0	1
Second Additional Judicial Commissioner.					.....	...	.....	...	.....	...	2,750 0 0	1
Commissioner. 1st class					2,500 0 0	4	2,750 0 0 (d)	1	2,750 0 0	3(g)	2,750 0 0	3(g)
Commissioner. 2nd class							2,500 0 0	4	2,500 0 0	2	2,500 0 0	2
Secretary to the Chief Commissioner.					2,000 0 0	1	2,000 0 0	1	(h)	...	(h)	...
Inspector-General of Registration, Stamps, Excise, etc.					1,200 0 0	1	1,200 0 0	1	(h)	...	(h)	...
Inspector-General of Police.					1,800 0 0 (c)	1	1,800 0 0 (c)	1	1,800 0 0 (c)	1	(i)	...
Junior Secretary to the Chief Commissioner.		do.			.....	...	1,500 0 0	1	.....	...	.....	...
Assistant Secretary to the Chief Commissioner.					800 0 0	1	.....	...	.....	...	.....	...
Commissioner of Settlements and Agriculture.		do.		do.	.....	...	1,900 0 0	1	2,250 0 0	1	(h)	...
Director of Agriculture.					.....	...	.....	...	.....	...	(i)	...
Registrar, Co-operative Credit Societies				Do.	.....	...	.....	...	.....	...	(i)	...
Deputy Commissioner. 1st Class					1,833 5 4	3	1,833 5 4 1,833 5 4	4(e) 1(d)	2,250 0 0 1,833 5 4	3 2(d)	2,250 0 0 1,833 5 4	4 3(d)
Deputy Commissioner. 2nd Class					1,666 10 8	5	1,666 10 8 1,666 10 8	5 2(d)	1,800 0 0 1,666 10 8	8 2(d)	1,800 0 0 1,666 10 8	10 2(d)
Deputy Commissioner. 3rd Class					1,333 5 4	5	1,333 5 4 1,333 5 4	5 3(d)	1,400 0 0 1,333 5 4	11 3(d)	1,500 0 0 1,500 0 0	12 2(d)
Deputy Commissioner. 4th Class					1,000 0 0	5	1,000 0 0	5	.....	...	.....	...
Assistant Commissioner. 1st Class					800 0 0	4	1,000 0 0 800 0 0 900 0 0	2(f) 3 3(d)	900 900	5 4(d)	900 900	4 2(d)
Assistant Commissioner. 2nd Class					700 0 0	5	700 0 0 700 0 0	6 4(d)	700 700	9 5(d)	700 700	10(k) 3(d)
Assistant Commissioner. 3rd Class (a)					600 0 0	5	600 0 0	5	400—500	23	400—500	40
Assistant Commissioner. 4th Class (a)					500 0 0 450 0 0 400 0 0	10 1 1 } 12	500 0 0 500 0 0 450 0 0 400 0 0 320 0 0	5(d) 2 1 8 1 } 12	500 0 0 333 5 4 200 0 0	4 2 } 6(d) 2(j)	.....	...
Senior Divisional Judge.					.....	...	.....	...	.....	...	2,500 0 0	1
Civil and Sessions Judge, Berar.					.....	...	1,833 5 4	1(d)	1,833 5 4	1(d)	(h)	...
Divisional Judge, 1st Class.					.....	...	.....	...	2,500 0 0	1		
Divisional Judge, 2nd Class.					.....	...	.....	...	2,250 0 0	1		
Divisional Judge, 3rd Class.					.....	...	.....	...	1,800 0 0	2		

(a) The figures in the lowest class of Assistant Commissioner (3rd or 4th at different times) represent the actual strength.

(b) The information for 1st April 1880 in respect of Berar Districts is not available.

(c) Separate appointment not necessarily held by an Indian Civil Service officer.

(d) For Berar.

(e) Addition of one post for Political Agent, Chhattisgarh Feudatories, Central Provinces.

(f) Special Assistant Commissioners for Berar.

(g) One for Berar.

(h) Included among Deputy Commissioners.

(i) The appointments are held by members of the Commission and their holders are seconded and draw grade pay as an allowance.

(j) Attachés.

(k) One appointment transferred from the Berar Commission.

33530 (92). Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—The present rates of pay and grading are most unsuitable, and compare most unfavourably with those in force in other Provinces. There are far too few posts in the higher grades of each rank, and the rates of pay are most inadequate when compared with those existing in other Provinces. In this Administration's letters Nos. 503-I-1-24, dated the 8th March 1909, and 1212-I-1-67, dated the 3rd July 1911, proposals were submitted for the amalgamation of the Central Provinces and Berar cadres, and the following grading and pay of Commissioners, Deputy Commissioners, and Assistant Commissioners (excluding Assistant Commissioners of the lowest class) were proposed:—

	Rs.
Commissioners, 5	5 at 2,750
Deputy Commissioners, 33	10 „ 2,250
	11 „ 1,800
	12 „ 1,500
Assistant Commissioners, 20	10 „ 900
	10 „ 700

In these letters the extremely unfavourable position and prospects of members of the Commission in these Provinces, as compared with the conditions prevailing in other Provinces, were very strongly emphasised, and reform was asked for as a matter "not of generosity but of justice." Even so, the pay and grading asked for were only based on those prevailing in the Punjab, and the Chief Commissioner now understands that the Government of the Punjab has itself recently submitted proposals for improvement of the grading and rates of pay existing in that Province, on the ground that they are markedly and unreasonably inferior to those existing in the United Provinces. ii. The cadre proposed as described in the preceding paragraph, includes (like the present cadre) certain Judgeships among the posts of Deputy Commissioner, but a scheme for the creation of an entirely separate Judicial cadre is now in course of submission. The Judgeships included in the posts of Deputy Commissioner are three Divisional and Sessions Judgeships in the Central Provinces and two District and Sessions Judgeships in Berar. As an entirely separate Judicial cadre is being proposed, these five posts must be excluded from the cadre of Deputy Commissioners, and the proposals also reduce the number of Assistant Commissioners by one post, which will be included as an inferior judicial post in the proposed Judicial cadre. Modifications of the cadre already asked for have therefore been proposed, which will result in a purely Executive cadre as follows:—

	Rs.
Commissioners, 5	5 at 2,750
Deputy Commissioners, 28	9 „ 2,250
	9 „ 1,800
	10 „ 1,500
Assistant Commissioners, 19	9 „ 900
	10 „ 700

(iii.) These are the Chief Commissioner's present proposals, but he is not prepared to say that, even if they are sanctioned, the pay and grading will not call for still further improvement at no distant date. The rates of pay asked for are only the same as those existing in the Punjab, and the grading is also based on the Punjab scale, though, as already remarked, the Punjab Government is believed to have recently protested against the inferior pay and grading of its officers when compared with those of officers in other Provinces. In particular, the Chief Commissioner doubts whether Rs. 2,750 is sufficient pay for the Commissioner of a Division, and he understands that the Punjab Government has asked that its Commissioners should be paid at a higher rate. In the United Provinces, Commissioners are paid at the rate of Rs. 2,916⅔, and there seems to be no adequate reason for not paying equal rates in both the Regulation and Non-Regulation Provinces of Upper India, including the Central Provinces. For all practical purposes the distinction between Regulation and Non-Regulation Provinces has now disappeared. Up to the present, however, the proposals of this Administration have amounted to no more than the modest request that its officers shall be placed in at least as favourable a position as their brethren, in the Punjab, although officers in that Province are themselves worse-off than if they served in the Regulation Provinces. (iv.) It has been mentioned above that the formation of an entirely separate Judicial cadre is being proposed, and a brief statement of the pay and grading suggested may be given here. The following cadre of Divisional and Sessions Judgeships has been proposed:—

1 at Rs. 2,750; 2 at Rs. 2,500; 2 at Rs. 2,250; 4 at Rs. 1,800; 3 at Rs. 1,500:

making 12 in all, of which, it is suggested, five should be listed for the Provincial Civil Service. It has also been proposed to raise the pay of the Second Additional Judicial Commissioner from Rs. 2,750, as at present, to Rs. 3,000. It is necessary that this officer should be paid at a higher rate than that proposed for the highest grade of Divisional Judge.

33531 (93). If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts or to both?—Intense dissatisfaction exists. It relates to the grading of both the higher and the lower posts, and to the pay of the higher posts. Even if promotion were normal the officers of the Province would have good cause for discontent at their extremely unsatisfactory pay and grading, as compared with those existing elsewhere, but the position of many of them is rendered still worse by the serious block in promotion which at present exists. As has been explained in the last answer, the Punjab officers are believed to be dissatisfied with their comparatively unfavourable pay and grading, but the following figures will show how badly-off are officers in the Central Provinces when compared

even with those in the Punjab, especially in the matter of grading :—

Rank.	Pay.	Number of posts.	
		Central Provinces.	Punjab.
	Rs.		
Commissioner . . .	2,750	3	5
	2,500	2	...
Deputy Commissioner . .	2,250	7*	10
	1,800	12†	11
	1,500	14	13
Assistant Commissioner . .	900	6	14
	700	13	15
	500	45	42

* Includes three Berar posts which, when held by officers of the Berar Commission, as at present, carry pay of only Rs. 1,833⅓.

† Includes two Berar posts which, when held by officers of the Berar Commission, as at present, carry pay of only Rs. 1,666⅔.

It may be mentioned that the large number of Assistant Commissioners in the lowest grade is due to the facts—(i) that the actual strength of the Commission is eight over the sanctioned strength; (ii) that the list of superior posts on which recruitment is based, is faulty by reason of the inclusion of 6 posts which are not really "Superior" [*vide* answer (76)].

33532 (94). Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the Provinces, and does any dissatisfaction on this score exist in your Province, and, if so, what?—The Chief Commissioner is not prepared to say that there should be absolute uniformity of pay for similar kinds of work in all Provinces, but he considers that the great differences which at present exist cannot be justified. In particular, he considers that the officers of a Province should not suffer on account of its being described as "Non-Regulation," for the term is now practically meaningless. The greatest dissatisfaction exists at present among officers in the Central Provinces at the inferiority of their pay and prospects as compared with those of Civilians in other Provinces. The inferiority of the grading and pay is particularly regarded as a grievance when it is remembered that officers, on first joining the Service, have no real choice of the Province in which they are to serve, and thus a man posted to the Central Provinces is placed in a position of permanent inferiority to that of his contemporaries who go to Provinces where the conditions of Service are more favourable.

33533 (95). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—Exchange compensation allowance may be abolished, provided that, in order to prevent reduction in the emoluments of officers in receipt of the allowance, their salaries are increased by an amount equal to the allowance withdrawn. These increased salaries should be paid to future entrants also.

33534 (96). If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?—A similar increase of salary should be given to those members of the Service who now draw no exchange compensation allowance. Uniformity will thus be attained, and an invidious distinction avoided. The extra cost will not be large. Moreover, Indian members of the Service have adopted European modes of life and the fall in exchange affects them seriously.

33535 (97). How does the system of acting allowances work in the case of officers selected to officiate in appointments involving increased responsibility? Is it productive of any inconvenience and have you any suggestion to make on the subject?—The system of acting allowances, in the case of officers selected to officiate in appointments involving increased responsibility, works satisfactorily.

33536 (98). How is the system of officiating grade promotions, where there is no change of duties, actually worked? Is the system convenient in the interests both of the Government and of the officers of the service? Have you any recommendations to make for its alteration?—The system is inconvenient both to Government and to the officers concerned. Much trouble arises in gazetting promotions and reversions in consequence of the existing arrangement. Delay often occurs with the result that an officer may unexpectedly find himself compelled to refund allowances which he has drawn for two or three months, or even longer.

33537 (99). What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the service or not?—The Chief Commissioner believes that the members of the Indian Civil Service serving in these Provinces are unanimously in favour of the adoption of a time-scale, and last year many of them submitted memorials expressly praying for such a measure. The Chief Commissioner himself recommends the introduction of a time-scale. It should not be restricted to the lower grades of the Service, but should include all officers below the rank of Commissioner of a Division. The block in promotion is now being felt, not only in the lower ranks of the Central Provinces Commission, but also among officers who have attained the rank of Deputy Commissioner, and there can be no justification of a graded system which allows men to attain the same grade after widely different length of service. 2. Details of the scheme which the Chief Commissioner would propose will be found in answer to question (102).

33538 (100). As an alternative do you recommend a system by which each main class of appointment would have a separate time-scale?—No.

33539 (101). What is your experience of the practical working of time-scales of pay in other Indian services?—A time-scale has now been in

force for some years in the Forest and Public Works Departments and the Chief Commissioner believes that it has given distinct satisfaction to the officers concerned.

33540 (102). If you recommend any system of time-scale of pay, please describe it, and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances, and other matters of importance? How do you propose to apply such time-scale in Provinces where the scale of pay of the judicial and executive branches of the service is different?—In the Foreign Department's Resolution No. 2485-Est.A, dated the 1st September 1911, a time-scale has been laid down for members of the Indian Civil Service serving in the Political Department, and the Chief Commissioner thinks that, subject to some modifications, the scale there laid down is generally suitable for adoption, since it is expressly declared by the Government of India that the scale has been framed with a view to giving Indian Civilians "approximately the emoluments which they might expect to draw in the Provinces." 2. The main difficulty in considering the working of a time-scale is the question whether an officer of sufficient length of service to give him ordinarily a responsible charge like the headship of a district, should continue to receive increments of pay according to his length of service, irrespective of his actually holding such a charge or not. It may be urged that any restriction, on the ground that an officer is not holding a superior charge, is objectionable because it allows of the possibility of undeserved blocks of promotion, the prevention of which is the main object of a time-scale. In these Provinces, for instance, there are four officers in the 14th year of their service, whose pay, under the Political time-scale, would be Rs. 1,700, but on the 1st January 1913 not one of these officers was holding a superior post. This was due, not in any way to the fault of the officer concerned, but solely to the intense block that prevails, and to the unsatisfactory state of the cadre with reference to the scheme of recruitment. It might be urged that it would be unfair to deny to such officers the pay which the time-scale would allow them according to their length of service, simply because by circumstances wholly beyond their control they were debarred from charges which they were fully competent to hold. 3. Notwithstanding these considerations, however, it must be remembered that superior posts carry with them greatly increased responsibility, and, as a rule, greatly increased expenses. The Chief Commissioner is, therefore, in favour of imposing a limit to the pay that may be granted to an officer who is not actually holding a superior appointment. This principle has been adopted in the Public Works Department time-scale, and in the Political Department scale it is laid down [paragraph 4 (2) of the Resolution] that "no officer shall draw more than Rs. 1,250 a month unless he actually holds a superior post or is employed on special duty which is declared at the time to be of the nature of a superior post." The Chief Commissioner is, however, of opinion that the limit of Rs. 1,250 adopted for officers of the Political Department is too low. As has been already pointed out, there are at present officers in their 14th year of service who are blocked from holding superior posts, and it is to be feared that this state of things will last for some time and may become even worse. The Chief Commissioner would, therefore, propose Rs. 1,400 as the limit beyond which an officer may not draw pay unless actually holding a superior post. 4. A "qualification" stage should also be prescribed, beyond which an officer should not go unless he is reported fully qualified for the charge of a superior post. For this stage the Chief Commissioner would propose Rs. 950 as a limit. It corresponds to the pay which an officer in his 8th year of service ordinarily draws under the Political Department time-scale. The Chief Commissioner thinks that there should be a further "qualification" stage for officers who, though fit for the charge of ordinary districts, are considered unfit for important and heavy charges like the Deputy Commissionerships of Nagpur and Jubbulpore. He would propose that such officers should be allowed to draw pay up to Rs. 1,800. When an officer has reached this stage, he should be declared fit or unfit for an important district. Thereafter if considered unfit for such a charge he should receive only five-sixths of the pay ordinarily drawn by efficient officers, subject to a minimum of Rs. 1,800. 5. A charge allowance should also be prescribed for a junior officer officiating in a superior charge. This allowance might be Rs. 250, subject to a proviso that the officer's total salary shall not exceed Rs. 1,500. To give some examples, the following salary would be drawn in different cases :—

Year of Service.	Ordinary pay under time-scale.	Acting allowance.	Total.
	Rs.	Rs.	Rs.
5th . . .	700	250	950
9th . . .	1,050	250	1,300
11th . . .	1,250	250	1,500
12th . . .	1,500	...	1,500

6. The pay of the post of Commissioner of a Division, or of a Judicial Commissionership (including an Additional Judicial Commissionership) or Financial Commissionership, should be fixed entirely apart from the time-scale. An officer acting in one of these high appointments should draw acting allowance calculated as at present. 7. The time-scale should be without prejudice to any special and local allowances that may exist for certain appointments. Certain extra local allowances are paid in the Political Department (*vide* paragraph 6 of the Resolution). 8. Having regard to the unwillingness of most officers to enter the Judicial Department and to the monotonous and sedentary nature of the life, it will probably be advisable to give judicial officers somewhat better rates of pay than to officers in the executive branch of the Service. No difference need exist prior to the completion of eight years' service, but thereafter the yearly increments might be somewhat increased. 9. To sum up, the Chief Commissioner's proposals are as follow :—(i) The introduction of the ordinary time-scale of the Political Department, for

all officers below the rank of Commissioner of Division in the executive branch. (ii) A similar time-scale for judicial officers below the rank of Judicial Commissioner (including Additional Judicial Commissioner), but with somewhat larger increments after completion of the 8th year of Service. (iii) A qualifying stage of Rs. 950 as a limit for officers not declared fit for a superior post. (iv) A further qualifying stage of Rs. 1,800 for officers not declared fit for the most important district charges: thereafter pay to be only four-fifths of the ordinary time-pay, subject to a minimum of Rs. 1,800. (v) A limit of Rs. 1,400 unless an officer actually holds a superior post, or is engaged on special duty which is declared at the time to be of the nature of a superior post. (vi) A charge allowance of Rs. 250 for a junior officer acting in a superior post, subject to a maximum salary of Rs. 1,500. (vii) An officer acting as Commissioner, Judicial Commissioner (including Additional Judicial Commissioner) or Financial Commissioner, to receive acting allowance calculated as at present. (viii) Existing special and local allowances to be retained.

33541 (103). If you are in favour of a time-scale of pay, how would you secure that the recruitment of junior officers is restricted to the number likely to be promoted in a reasonable time to posts of independent responsibility, and do you or do you not consider it desirable that all members of the Indian Civil Service should have the prospect of rising to such posts within a fixed time?—The Chief Commissioner has not examined this point, but it seems to him that the question of recruitment need not present much difficulty. It may be assumed that an officer is fit to officiate in a superior post after 8 years' completed service. The proportion of men with service of 8 years or more who are normally on leave can be ascertained, and, after consideration of the average casualty rate, recruitment can be regulated so as to secure that there are always sufficient men of over 8 years' service to fill the number of superior posts, after taking into consideration the number normally on leave. Thus, if it is found, as at present, that normally 32·7 men of 8 years or more service are on leave for every 100 on duty, recruitment should be regulated so as to secure that there shall ordinarily be 132·7 men of 8 years or more service to fill every 100 superior posts. In short, the present system of recruitment may be continued. The Chief Commissioner considers that all members of the Service should have the prospect of rising to responsible posts within a fixed time provided that they are efficient. Even if secured adequate pay under a time-scale, an officer would be discouraged, and would be lowered in the estimation both of himself and of the people, if he remained in inferior posts when approaching, or after reaching, middle-age.

33542 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Service holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate you do suggest for the various grades of the service?—The question of the rate of pay that should be given to the holder of a listed post depends largely, in the Chief Commissioner's opinion, on the stage of an officer's career at which he is appointed or promoted to such a post. The Chief Commissioner is aware that such appointment or promotion at a late stage of an officer's career is open to objection that the officer may have lost energy, initiative and the habit of authority, but nevertheless having regard to the undoubted fact that Indian officers often do not fulfil the promise of their earlier years, he considers that ordinarily such officers should not be appointed to listed posts until they have rendered thoroughly efficient service long enough to make it certain that they will retain their efficiency with advancing years. An officer when appointed to a listed post will thus be—(i) fairly senior in service; (ii) very specially selected on account of possessing qualities such as sound judgment and, above all, self-reliance. The post to which he will be appointed will be one of real responsibility, and having regard to all these considerations, the Chief Commissioner thinks that such an officer should not draw less pay than Rs. 1,500 a month. This would be the substantive pay of the post; for officiating in it, an acting allowance should be drawn under the ordinary rules. After being substantively appointed in a listed post the officer should rise under a time-scale to Rs. 2,000, which might be taken as the highest pay of the Headship of a district or of a Sessions Judgeship. Should the Provincial Service Officer rise to the Commissionership of a Division or a Judgeship of the Chief Court he should draw exactly the same pay as an officer of the Indian Civil Service.

33543 (106). Is there any reason to suppose that officers of the Indian Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—There is some reason to believe that officers take more leave than was the case 15 or 20 years ago. In those days the Central Provinces Commission was seriously under strength, and it was often necessary to refuse or postpone the grant of leave.

33544 (107). Is all the leave on full pay due to them ordinarily taken by officers of the Indian Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—Ordinarily all the leave on full pay due to them is taken. This has especially been the case since the rules were altered so as to allow the combination of privilege with other leave. The amount of privilege leave that can be earned appears to be suitable.

33545 (108). Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—All furlough due is not ordinarily taken. At the same time the Chief Commissioner does not recommend any reduction in the amount of furlough permissible; a total of six years in an officer's total service is not excessive.

33546 (111). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative rates fixed in sterling and in rupees, and, if so, what change?—The maximum and minimum leave allowances

appear to be suitable. *Alternative sterling and rupees rates.*—In 1910 a Committee was appointed by the Secretary of State to enquire into the practicability of withdrawing exchange compensation allowance and privileged rates of exchange for leave allowances and pensions. This Committee recommended that for each £100 payable as leave allowance in England, the sum of Rs. 1,333⅓ should be payable as leave allowance in India. The Chief Commissioner would support this proposal.

33547 (114). In particular, are they a contributory cause of excessive transfers of officers of the Indian Civil Service, and, if so, how can this difficulty be met?—In these Provinces close attention is paid to avoiding excessive transfers, and experience does not indicate that the leave rules materially operate as a cause of such transfers.

33548 (116). Do the present leave rules applicable to Statutory Civilians, or to officers of the Provincial Civil Services employed in listed posts, cause any inconvenience to the Administration, or press hardly on the officers themselves, and in what respects? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—There is only one Statutory Civilian in these Provinces. Officers of the Provincial Service holding "listed posts" are subject to the same leave rules as the other members of that Service, and the suitability of their leave rules is dealt with in the answers regarding the Provincial Civil Service.

33549 (117). Have you any other proposals to make in regard to the conditions of leave not covered by your answers to the above questions?—The question of amending the leave rules has recently been referred by the Government of India to Local Governments and Administrations in the Finance Department's letter No. 538—C.S.R., dated the 13th September 1912. The subject is still under discussion with local officers, and the Chief Commissioner is not yet prepared to offer a final opinion or to make any detailed suggestions for amendment of the leave rules. But he is disposed, at present, to agree with the suggestions of the Government of India, which, he thinks, will certainly conduce to the convenience both of the Administration and of its officers. It would appear to be entirely desirable that the Local Administration should have power to grant all furlough and leave due to an officer, at the time when his absence will not cause inconvenience, subject to such restrictions as may be prescribed regarding the proportion of the total strength of the service that may be on leave at any one time.

33550 (118). Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—[This answer also covers questions (119) to (124) and question (125).] The Chief Commissioner does not desire to suggest any change in the main features of the pension scheme, and, in particular, he would lay great emphasis on the necessity of retaining £1,000 as the pension ordinarily to be received on retirement, as he regards this figure as a most important asset and attraction in recruiting for the Service. With reference to question (122), however, he considers that, as has been done in the case of some of the other Services, certain Executive Officers of high rank should be granted enhanced pensions after such length of service in their appointments as may be prescribed. Under Articles 475 and 642 of the Civil Service Regulations, a pension additional to that ordinarily earned may be sanctioned in favour of certain officers of high rank in the Public Works, Forest and Educational Departments, provided that they have served for three years in such rank. A Chief Engineer, for instance, can thus earn a pension of Rs. 7,000 a year, which, when converted at 1*s.* 9*d.* per rupee, amounts to about £612. It is believed that of the annuity of £1,000 payable to an Indian Civil Servant, the amount contributed by the State is only £600, the balance being contributed by the officer himself. A Chief Engineer in the Public Works Department may thus receive a larger pension from the State than the highest Executive Officers of the Indian Civil Service. The Chief Commissioner would therefore recommend that Heads of Provinces and Commissioners of Divisions should be granted additional pensions of £500 and £200, respectively, after three years' service in their respective appointments. The proposal to give increased pensions to Commissioners of Divisions is, no doubt, open to the objection that such a measure would tend to discourage retirements, thus impeding a reasonable flow of promotion. But the necessity of rigid selection for promotion to the rank of Commissioner has now been strongly emphasised, and the due observance of this principle will counteract the force of this objection.

33551 (119). Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—Please see answer (118) first part.

33552 (120). Assuming the maintenance of the annuity system, do you suggest any modifications in its detailed working, and, if so, what, and for what reasons?—Please see answer (118) first part.

33553 (121). In particular, what is your opinion of the arrangement by which members of the Indian Civil Service, who are appointed Judges of High Courts, obtain special pensions of £1,200 a year after 11½ years' actual service as Judges? Do you recommend any change in the present condition?—Please see answer (118) first part.

33554 (122). Do you consider that a similar system should be applied to the cases of high Executive Officers, and, if so, to which? Please state the amount of pension and the conditions which you recommend as suitable?—Please see second part of answer (118).

33555 (123). Assuming the substitution of a non-contributory system of superannuation pensions varying in amount with the amount of salary drawn at the time of retirement, please describe the system that you recommend?—Please see answer (118) first part.

33556 (124). Do you recommend the introduction of a system of reduced pensions for such

officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—The Chief Commissioner agrees with the views of the Government of India as expressed in their Despatch No. 20, dated the 19th September 1912. Ordinarily the pension allowed should be the same as would be allowed in the event of premature retirement for reasons of ill-health.

33557 (125). Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?—Please see answer (118) first part.

33558 (128). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed posts? If not, what do you suggest?—The Chief Commissioner thinks that such officers should receive an extra pension of Rs. 1,000 a year after three years' efficient service in a "superior" listed post, and an extra pension of Rs. 2,000 a year after six years' efficient service in such a post.

33559 (129). Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?—The Chief Commissioner believes that officers who have retired often find it burdensome to continue their contributions to the fund, as they have to do at present. Their pensions, reduced by the payment of income-tax, are often felt to be inadequate, especially if—as is generally the case—children have to be educated or started in life. In such circumstances the burden of contributing to the fund is much more felt than during the period of an officer's active service. But exemption from contribution cannot be granted only to retired officers, or such officers will profit at the expense of others who remain in service after rendering sufficient service for retirement. The Chief Commissioner would therefore propose that all officers, whether remaining in service or not, should cease to contribute to the fund on completion of 25 years from the date on which they began their service. The rates of contribution would, of course, have to be increased.

33560 (130). In particular, do you approve of the exclusion from their benefits of "Natives of India" who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?—The Chief Commissioner is of opinion that measures should be taken to include members of the Indian Civil Service who are "Natives of India" in the benefits of the Family Pension Fund. But owing to the differences between their social conditions and those of Europeans, and to the possible existence of differences in mortality-rates, it might be unfair either to the European or Indian members of the service to apply a single set of rules with uniform rates of subscription. A beginning might be made with a separate fund for Indian members, and after sufficient experience of its working had been gained—say after 25 years—it could be decided whether amalgamation of the two branches was possible.

33561 (131). Do you recommend that such admission should be optional or compulsory?—Admission should be compulsory.

33562 (132). If you do not approve their admission to the Indian Civil Service Family Pension Fund, do you recommend the formation of a separate Family Pension Fund?—Please see answer (130). For the reason there stated a separate fund would seem advisable at first.

Written answers relating to the Provincial Civil Service.

33563 (1). Please refer to Government of Indian Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The conditions are suitable.

33564 (2). Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your Province. Are these rules suitable, or have you any recommendations to make for their alteration?—A copy of the Central Provinces rules for employment in the Provincial Civil Service is appended. The rules are suitable:

Notification.

Nagpur, the 28th November 1910.

No. 2905.—The following rules regarding employment in the Provincial Civil Service of the Central Provinces and Berar are published for general information. Notification No. 4902, dated the 2nd June 1902, is hereby cancelled.

I.—DIRECT APPOINTMENT.

(*1*) Every candidate for direct appointment to the Provincial Civil Service must furnish satisfactory evidence that he is eligible under the following rules:—

(i) *Birth and Residence.*—Admission to the Provincial Civil Service is, in all Provinces, usually confined to (*a*) Natives of India as defined in Statute 33 Vict., c. 3, section 6, that is to say, "persons born and domiciled within the dominions of His Majesty in India of parents habitually resident in India and not established there for temporary purposes only," and (*b*) subjects of Native Princes in alliance with His Majesty; but it may also be extended to (*c*) Europeans who are not statutory Natives of India, provided that the sanction of the Government of India is obtained in each particular case.

(ii) Appointments in the Central Provinces and Berar will, further, ordinarily be confined to natives, or permanent residents, of these Provinces, but may be given to others who have recently

resided for three years within the Provinces, or, in very exceptional cases, to outsiders.

(iii) In making appointments the Local Administration will secure as far as possible due representation in the public service of the different classes of the community.

(2) *Age.*—A candidate must not be over 25 years of age except in the case of Barristers, Advocates, or Pleaders appointed to the Judicial Branch (Civil Service Regulations, Article 51).

(3) *Educational qualifications.*—(i) A candidate must have passed the B.A. or B.Sc. Examination of a University, or, in the case of a European or Eurasian, have received an education which, in the opinion of the Chief Commissioner, will fit him for the discharge of the duties of an officer of the Service.

(ii) A thorough knowledge of either Hindi or Marathi, including ability to write and read the written character with facility, is necessary.

(iii) No Barrister, Advocate, or Pleader will be appointed as such to the Judicial Branch unless he has been at least three years actually practising his profession in India and can speak either Hindi or Marathi.

(4) He must be of sound health, good physique and active habits, and must have been successfully vaccinated or have had small-pox.

(5) He must be of good character.

II.—INDIRECT APPOINTMENT.

Officers of the Subordinate Civil Service or of the Police, or other Departments, may, at the discretion of the Chief Commissioner, be appointed to the Provincial Service on the grounds of good service and suitability for such appointment.

III.—PROBATION.

(1) Every person appointed to the Provincial Civil Service, whether by direct recruitment or otherwise, shall be on probation for the first two years of his service, unless the Chief Commissioner in any special case declares such probation unnecessary.

(2) During the period of probation the prescribed Departmental examinations must be passed.

IV.—PROMOTION.

(1) Promotion up to the grade of Rs. 400 will ordinarily be made by seniority, but the Administration reserves the right to promote without regard to seniority. To any grade above that of Rs. 400 promotions will not be made by mere seniority, but by seniority qualified by selection on account of efficiency. Seniority alone will not be considered as giving any claim to promotion.

(2) (i) The Government of India retain power in very special cases to make direct appointments to offices in the higher grades of the Provincial Civil Service.

(ii) In the case of Judicial Officers the Government of India will only exercise this power on behalf of Barristers, Advocates, or Pleaders of the High Court who have shown distinguished ability in the exercise of their profession for not less than ten years, and have a thorough knowledge of the vernacular.

V.—DISMISSAL.

No member of the Provincial Civil Service shall be dismissed otherwise than on the result of a Judicial, or formal Departmental, enquiry.

[NOTE.—Here followed the Resolution printed on pages xxxiii-iv of this volume. It has therefore not been reproduced here.]

33565 (3). Please see the statement showing the constitution of the Provincial Civil Service, reproduced as Appendix B to these questions, and state whether the information is correct for your Province. If not, what alterations are required?—The figures for the Central Provinces in Appendix B require modifications as noted below:—(i) The number of appointments of Extra Assistant Commissioners in the Executive Branch on Rs. 400 should be 24 and not 23, since an appointment on that pay was sanctioned in January 1909 for the appointment of Oriental Translator. The total for the Executive Branch will be 99 accordingly instead of 98. (ii) The number of appointments of Subordinate Judges in the Judicial Branch on Rs. 300 should be 17 and not 16, as a post on that pay was added in October 1910 for the Deputy Registrarship of the Judicial Commissioner's Court. The total number of appointments for the Judicial Branch will therefore be 49 and the grand total 148 instead of 146.

33566 (4). Please state the different systems of recruitment that have been adopted for the Provincial Civil Service, the periods for which they were in force, and the number of officers recruited year by year in your Province under each system since its formation?—The system of recruitment has always been the same, *viz.*, direct appointment of non-officials and selection of officers from other Services, especially the Subordinate Civil Service. Appended is a table showing for each of the last 20 years the number of recruits—(i) from other Services; (ii) from among non-officials.

Statement showing the number of officers recruited year by year in the Central Provinces and Berar Provincial Service.

Year.	From other services.			From non-officials.			Total.
	Executive.	Judicial.	Total.	Executive.	Judicial.	Total.	
1893	6	7	13	2	3	5	18
1894	4	1	5	...	1	1	6
1895	4	2	6	...	...	...	6
1896	5	2	7	1	...	1	8
1897	2	...	2	...	1	1	3
1898	3	...	3	...	...	...	3
1899	4	...	4	...	5	5	9
1900	5	1	6	1	2	3	9
1901	10	4	14	1	11	12	26
1902	2	2	4	...	...	...	4
1903	8	3	11	2	1	3	14
1904	2	2	4	1	...	1	5
1905	9	...	9	1	...	1	10
1906	13	...	13	4	...	4	17
1907	9	..	9	1	..	1	10
1908	14	...	14	3	...	3	17
1909	2	4	6	...	...	...	6
1910	3	6	9	...	..	...	9
1911	2	1	3	2	...	2	5
1912	1	...	1	1	..	1	2
Total	108	35	143	20	24	44	187

33567 (5). Please state the number of natural-born subjects of His Majesty other than "Natives of India" recruited in your Province in each year?—Messrs. May, Chisholm and Marriott were recruited as Extra Assistant Commissioners in 1892, *i.e.*, before the Provincial Service was constituted under that name. The two first named are still in the service; the third is dead.

33568 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—The Chief Commissioner would retain the present system of recruitment, *i.e.*, nomination and selection, but he thinks that selection from among the nominees—whether already in Government service or not—might well be entrusted to a Board. The members of this Board might be the Judicial Commissioner, the Financial Commissioner, and a non-official member of the Provincial Legislative Council.

33569 (7). To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?—Exact statistics are not readily available, but recruitments of outsiders in recent years have been rare. The Chief Commissioner considers that ordinarily only residents of the Province should be recruited, and express provision to this effect exists in the rules.

33570 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—In the Provincial Service (including both branches, Executive and Judicial) the different classes and communities are represented as follows:—

Marathas	58
Non-Maratha Hindus	36
Muhammadans	30
Anglo-Indians	16
Parsis	6
Indian-Christian	1
Jew	1
Total	148

It is desirable to secure that all classes and communities should be represented, but no special arrangements are necessary to secure this object, if, as the Chief Commissioner recommends, appointment continues to be made by selection.

33571 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recommend?—As regards probation, please see Rule III (1) and (2) of the Rules which have been supplied as requested in question (2). As regards training, officers of the Judicial branch have already been trained as Munsifs, as no outside recruitment to Subordinate Judgeships is made in these Provinces. In the Executive branch the system of training is the same as that of junior Indian Civilians. Recruits are posted to districts, are given minor magisterial and revenue powers and prepare for their Departmental Examinations. Officers recruited from the Subordinate Civil Service ordinarily need less training before being given full powers, as they have often had long experience of executive and criminal work, and have already made some progress in passing the Departmental Examinations. This system appears to be quite satisfactory.

33572 (10). Is the existing system of Department Examinations suitable, and, if not, what changes do you recommend?—The existing system is suitable.

33573 (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—The Chief Commissioner has no change to recommend.

33574 (12). What is the system on which the strength of the $\frac{\text{Executive}}{\text{Judicial}}$ branch of your Provincial Civil Service is fixed? Do you consider it satisfactory, and, if not, what alterations do you recommend?—*Executive Branch.*—First the number of inferior charges in the Province is counted up, including the number of deputation charges shown by experience ordinarily to be necessary. From the figure thus obtained, there is deducted the number of posts to fill which junior members of the Indian Civil Service of theoretically from 2 to 8 years' service are available. The balance is the number of appointments to be arranged for in the Provincial Service. To the total is added, in the lowest grade, a number of posts to form a leave-reserve, equivalent to 14 per cent. of the total. The following table shows how the present strength of the Executive branch was fixed in these Provinces:—

(*a*) Ordinary district work	60
(*b*) Foreign Service	3
(*c*) Assistant Settlement Officers	8
(*d*) Assistant to Director of Agriculture	1
(*e*) Personal Assistant to Excise Commissioner	1
(*f*) Excise work in districts	10
(*g*) Special duty	3
	86
Add—	
Leave reserve at 14 per cent. calculated on the above 86 posts and on 1 or 2 Deputy Commissionerships listed as open to the Provincial Civil Service	12
Add—	
1 post subsequently added for Oriental Translator	1
	99

Judicial Branch.—Here the strength of the Service simply depends on the number of officers required to man the Courts of District Judge and Subordinate Judge, after deducting 2 District Judgeships in Berar and 3 in the Central Provinces manned by officers of the Commission. The

present system of fixing the strength appears to be quite satisfactory, in the case of both the Executive and Judicial Branches.

Recent proposals for revision of the cadre.

It has recently been proposed to revise the Excise administrative arrangements of the Province, and among the proposals in this connection is one for the abolition of the posts of Excise Extra Assistant Commissioner. Opportunity has, at the same time, been taken to propose a revision of the Executive cadre of the Provincial Service, and as the ordinary needs of the Province have expanded, holders of the Excise posts will be utilized for other purposes. The estimated requirements of the Service are—

(*a*) Ordinary district work . .	69
(*b*) Foreign Service . . .	7
(*c*) Assistant Settlement Officers .	6
(*d*) Special duty	4
(*e*) Oriental Translator . .	1
TOTAL .	87

Add—

Leave reserve at 14 per cent. on the above 87 appointments and 2 or 3 Deputy Commissionerships (including proposed new "listed" appointment of Inspector-General of Assessed Taxes, etc.)	13
TOTAL .	100

33575 (13). In particular, is the leave reserve adequate, and the system on which it is graded suitable?—The Judicial branch of the Provincial Civil Service has no leave reserve. The Executive branch has a leave reserve of 12 posts out of a total of 99. During the last 5 years since this cadre was introduced the average number of officers absent on leave (including Mr. Chitnavis, Deputy Commissioner, who, for purposes of fixing the strength on which the leave reserve is calculated, is counted as a member of the Executive branch of the Provincial Service) has been only 10·7, and although it has occasionally been necessary to postpone the grant of leave to officers applying for it, the leave reserve appears to be generally adequate. The leave reserve of 12 posts forms the lowest grade (Rs. 200) in accordance with the usual practice in self-contained Provincial Services. This system of grading the leave reserve seems quite suitable. It seems reasonable that the holders of appointments that would not be created at all if the whole staff was always on duty, should be graded lowest of all.

33576 (14). Is there any reserve for officers under training and is it adequate?—The only reserve for officers under training consists of the probationers, who are in addition to the sanctioned strength. The maximum number of probationers allowed is 7, as approved by the Secretary of State on the Government of India's proposal contained in their Despatch (Finance Department) No. 322, dated the 22nd August 1907. The Government of India then proposed as follows:—"We agree that the Chief Commissioner may be allowed to appoint probationers as he thinks necessary, but .....we recommend that the number of probationers at any one time should never exceed the normal number of two years recruits. The normal rate of recruitment of a service recruited in India being 3·82 per cent. of the strength, the number of probationers for the Provincial Service, Executive branch, should be limited to 7." This number is more than adequate as recruitment is made largely from the Subordinate Service, and only to a less extent from outside. At present there are only three probationers.

33577 (15). What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion?—There is no fixed annual rate of recruitment. Recruitment is made to fill existing vacancies only, and is not put at an annual figure. Recent experience indicates that the normal rate of recruitment may be taken, in the Executive branch, as 5 on a total strength of 99, *viz.*, 3·6 representing recruitment by promotion and 1·4 representing recruitment by nomination. The Judicial branch is simply recruited from the rank of Munsifs as vacancies occur. The present cadres have been in existence only 5 years and it is somewhat too early to say whether an even flow of promotion is secured. There is some immediate prospect of a slight block in promotion in the Executive branch, but it will disappear in three or four years, after which promotion seems likely to be reasonably rapid. In the Judicial branch, some of the Subordinate Judges appear to be faced with a serious block in promotion, but the scheme, now in course of submission, for a reorganization of the Judicial Department, will entirely change the conditions, if it is sanctioned, and will greatly improve the prospects of these officers.

33578 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—Rule IV (1) of the Central Provinces Rules regarding employment in the Provincial Civil Service lays down that "to any grade above that of Rs. 400 promotions will not be made by mere seniority but by seniority qualified by selection on account of efficiency." In recent years in the Executive branch only one officer has been superseded for promotion under this rule. In the Judicial branch six officers have been superseded for permanent promotion to the rank of District Judge, the lowest pay of which is Rs. 500.

33579 (17). Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—The rules provide for selection to grades above that which carries pay of Rs. 400 a month, and the Chief Commissioner would maintain the provision. Inefficient officers should be compulsorily retired, and a pension should be allowed on the same scale as if the officer were compelled to retire prematurely on account of ill-health.

33580 (18). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in

what direction?—The Provincial Service is divided into two entirely separate branches, Executive and Judicial. *A.—Criminal.*—Officers of the Executive branch try original Criminal cases as Magistrates. Officers of the Judicial branch, most of whose work is concerned with Civil cases, are sometimes appointed Additional Sessions Judges, and that to extent perform Criminal judicial work. The members of the service who are Sessions Judges are entirely Judicial officers. *B.—Civil.*—Civil cases in all stages are tried almost exclusively by Judicial officers who have no executive functions. The only exceptions are necessitated by the provisions of the Tenancy Act. Under section 97 of that Act, original suits between landlords and tenants as such, must be tried by a Revenue officer. Such are (i) suits for ejectment of a tenant, (ii) suits to recover possession after illegal ejectment, and (iii) suits for arrears of rent. These are triable by officers of the Executive branch, who, for this purpose, are appointed Additional Subordinate Judges, but appeals from their decisions lie to Judges who have no executive functions. Similarly, under section 85 of the Tenancy Act, orders for the ejectment of a tenant in execution of a decree for arrears of rent must be executed by Revenue officers (who are members of the Executive branch), but in such cases the Appellate Court is also that of a Revenue officer. Under section 68 of the Code of Civil Procedure decrees for the sale of interests in agricultural land are transferred to the Collector for execution, and the functions of the Collector in such cases are exercised only by officers of the Executive branch of the service. Appeals in such cases are also decided by officers of the Executive branch. *C.—Revenue.*—Both original and appellate revenue cases are decided by officers of the Executive branch.

33581 (21). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—The Chief Commissioner is satisfied with the designation.

33582 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—The Chief Commissioner accepts this principle as suitable.

33583 (23). Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Civil Service authorised on the 1st April of each of the following years:—1890, 1900, and 1912. When was the last general reorganisation effected, and what improvement of prospects was effected thereby?—The information is given in the appended statement. 2. The last general revision was effected in 1907, and took effect from the 1st January 1908. Up to that time both Executive and Judicial officers were styled Extra Assistant Commissioners and, though for accounts purposes they were regarded as being on one list, they had actually been divided into two branches by executive order of the Chief Commissioner. The following figures show the effect of the revision:—

Rate of pay. Rs.	Executive posts.		Judicial posts.		
	Before revision.	After revision.	Before revision.	After revision.	
800	2	2	1	2	District Judges.
700	1	3	2	3	
600	4	6	4	5	
500	10	14	8	5	
400	15	23	13	17	Sub-Judges.
300	18	24	14	16	
250	14	14	10	...	
200	15	12	8	...	
TOTAL	79	98	60	48	

Under this revision officers of the Judicial Department ceased to be called Extra Assistant Commissioners. The four grades of Rs. 500 and above were filled by "District Judges" and the lower grades of Rs. 400 and 300 by "Subordinate Judges." 3. Prospects in both branches were improved by increasing the number of posts. (The reduction of judicial posts from 60 to 48 was no real reduction in the strength of the Judicial Service, for posts on Rs. 250 and Rs. 200 were included in the cadre of Munsifs in the Subordinate Service and there was an increase from 42 to 48 in posts carrying Rs. 300 and over.) In the Executive branch the percentage of posts carrying Rs. 500 and over rose from 21·5 to 25·5, but on the whole, having regard to the total number of posts, there was no great improvement in the grading. 4. In two ways, however, officers of the Judicial branch benefited by the revision as compared with their brethren in the Executive branch:—(i) Prior to the revision the cadre was "self-contained," with a leave reserve for vacancies. An officer going on leave or otherwise absent thus gave no officiating promotion to his juniors. This position remained, and still remains, unaltered in the Executive branch, but in the Judicial branch the cadre is an "open" one. Leave vacancies among District Judges are filled by the promotion of Subordinate Judges, who draw pay as officiating District Judges. Similarly vacancies among Subordinate Judges are filled by Munsifs who draw pay as officiating Sub-Judges. (ii) Officers on pay exceeding Rs. 500 draw travelling allowance at first class officers' rates, *vide* Appendix 18 referred to in Article 1002 of the Civil Service Regulations, while those whose pay is Rs. 500 ordinarily draw at second class officers' rates. District Judges of the lowest grade, however, though drawing only Rs. 500, were included, under the revision, as first class officers for purposes of the travelling allowance rates: *vide* Appendix 18 referred to in Article 1002 of the Civil Service Regulations. In the Executive branch an officer

on Rs. 500 is only granted travelling allowance at second-class officers' rates.

Main Grades of the Provincial Civil Service.	1890.		1900.		1912.			
						Number of posts.		
	Rate of pay.	Number of posts.	Rate of pay.	Number of posts.	Rate of pay.	Executive.	Judicial.	Total.
1st Grade . .	...	...	...	...	800	2	2	4
2nd ,, . .	...	...	700	1	700	3	3	6
3rd ,, . .	... 600	... 2 (e)	600	6* 2(e) } 8	600	6	5	11
4th ,, . .	500(a) 500	5 2(e) } 7	500	12 2(e) } 14	500	14	5	19
5th ,, . .	400(b) 400	7 5(e) } 12	400	13* 6(e) } 19	400	24	17	41
6th ,, . .	300(c) 300	8 4(e) } 12	300	12* 4(e) } 16	300	24	17	41
7th ,, . .	250(d) 250	3 6(e) 9	250	7 6(e) } 13	250	14	...	(h)14
8th ,, . .	...	...	...	...	200	12	...	(h)12
Temporary Extra Assistant Commissioners .	...	...	250	8	200	4	...	4
Probationary Extra Assistant Commissioners	...	...	...	...	100—200	2	...	2
Officiating Extra Assistant Commissioners .	250	7	(f) 250	19 4(e) } 23	...	...	...	...

(a) Then called 1st Class.
(b) ,, 2nd ,,
(c) ,, 3rd ,,
(d) ,, 4th ,,
(e) Berar Extra Assistant Commissioners.
(f) On different rates of pay, *viz.*, Rs. 250, 241⅔, 220 and 200.
(h) Executive Officers only. Judicial Officers on pay of Rs. 250 and Rs. 200 are Munsifs in the Subordinate Judicial Service.
* One kept vacant pending absorption of a "listed" post of Assistant Commissioner.

33584 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—In these Provinces the lowest grade of the Executive branch of the service carries pay of only Rs. 200 a month, and the Chief Commissioner understands that in no other Province is there a grade on so low a rate of pay. Apart from the fact that this rate of pay is insufficient to attract the class of man whom it is desirable to recruit, inconvenience arises when a first grade Tahsildar is promoted to the Provincial Service, since such an officer is already in receipt of a salary of Rs. 250. In such a case either a personal allowance of Rs. 50 has to be given to the officer thus promoted or he has to be placed at once in the Rs. 250 grade remaining at the bottom of that grade until all the men of the Rs. 200 grade, who joined the Provincial Service before him, have been promoted to the Rs. 250 grade and placed above him. Such an officer may thus spend many years without any rise in pay sufficient to enable him to maintain a style of life befitting his improved status. The Chief Commissioner considers that Rs. 250 a month should be the very lowest rate of pay granted to an officer of the Provincial Service. The pay of the highest grade is Rs. 800 a month. For reasons that will be explained in answer to question (29) the Chief Commissioner would recommend two special grades of Rs. 900 and Rs. 1,000 in the Executive branch. The present grading is also somewhat unfavourable, and in both branches of the service the number of posts in the lower grades is somewhat too large. No special hardship has, however, yet been felt on this account, as there have been, from time to time, such large increases of the cadre, accompanied by revision of the grading, that promotion has been reasonably rapid. In a subsequent answer the Chief Commissioner proposes the introduction of a time-scale, and if this measure is adopted it will put an end to all risk of hardship on account of unfavourable grading and unequal promotion. If, however, the graded system is retained it will probably soon be found advisable to revise the grading in both branches of the service. Proposals are already in course of submission for an entire reorganization of the Judicial Department, and so far as this reorganization concerns the Provincial Civil Service, the grading proposed compares as follows with that now in force:—

Rate of pay. Rs.	NUMBER OF POSTS.	
	At present.	As proposed.
800	2	2
700	3	3
600	5	5
500	5	8
400	17	13
300	17	16
Total . .	49	47

33585 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—The Executive branch of the service is "self-contained." It includes a leave-reserve, and no officiating promotion is given. The Judicial Branch consists of (i) District Judges and (ii) Subordinate Judges. When a Subordinate Judge officiates as a District Judge he receives the pay of the post in which he officiates, and to this extent officers of the Judicial Branch receive the benefits of officiating promotion. The absence of officiating promotion is undoubtedly regarded as a grievance by members of the Provincial Service, but it can quite reasonably be justified on the ground that in each branch of the Service practically all officers perform similar duties, whatever may be their grade. The Chief Commissioner is, therefore, not prepared to recommend any change of practice in this respect, even if the graded system is retained. In a subsequent answer, however, he proposes the introduction of a time-scale, and if this measure is adopted it will put an end to all grievances which arise by reason of the inconveniences of the graded system.

33586 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are

in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—A time-scale is eminently suitable for the Provincial Civil Service, since in each branch, Executive and Judicial, practically all officers perform duties of the same nature, whatever may be their grade. The Chief Commissioner believes that there is a strong feeling among the members of the service in favour of a time-scale, and he himself recommends its adoption. Details of the scheme recommended will be found in answer (29).

33587 (27). As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?—No.

33588 (29). If you recommend any kind of time-scale of pay—please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance? How do you propose to apply such time-scales in Provinces where the scale of pay of the Executive and Judicial branches of the service is different?—In his answer to question (24) the Chief Commissioner has recorded his opinion that Rs. 250 should be the lowest rate of pay given to an officer of the Provincial Civil Service, and that there should be a possibility of rising to Rs. 1,000. The Chief Commissioner would recommend a time-scale of pay rising from Rs. 250 to Rs. 800, with two special grades of Rs. 900 and Rs. 1,000, each containing, say, two appointments for the Executive Branch. The number of listed posts open to members of the Executive Branch will be strictly limited according to the proposals already made. In the Judicial Branch, on the other hand, promotion to a listed post will be of comparatively frequent occurrence. To compensate the Executive Branch, which also contains a much larger number of officers, for their smaller prospects of promotion appears therefore to be desirable. The posts on Rs. 900 and Rs. 1,000 would only be given by very special selection. A suitable time-scale would be as follows:—

3 years in Rs. 250 grade; time spent as a probationer to count even though the pay granted to a probationer may be less than Rs. 250.

4 years on Rs. 300, 400, 500, 600, 700

An officer, whose promotion has not stopped for lack of efficiency, as explained below, would thus draw Rs. 800 after completing 23 years' service. An officer selected for one of the special posts on Rs. 900 or Rs. 1,000 would ordinarily be in the Rs. 800 grade, but as such selection would only be made on the grounds of exceptional merit, the officer selected might be taken from a grade below that of Rs. 800, if no officer on such pay was deemed to be sufficiently meritorious to deserve one of the special posts. It might even in certain circumstances be necessary to keep one of the special posts temporarily vacant, if amongst the comparatively senior men there was no one of outstanding talents. Promotions above Rs. 500 should be subject to the officers being declared really efficient. Any existing local or special allowances should continue. As regards the Judicial Branch, the Chief Commissioner, in his proposals (now in course of submission) for reorganization of the Judicial Department, is suggesting Rs. 300 as the pay of the lowest grade. There is no longer direct recruitment to the Provincial Judicial Service, and entrants have to serve as Munsifs for some years before admission. The time-scale in the case of Judicial officers should start at Rs. 300, and would then follow the same course as for Executive officers. But as already explained, there is no necessity for creating prize posts for this service, as has been recommended in the case of the Executive Branch.

33589 (31). Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—There is no reason to suppose that officers take materially more or less leave than formerly.

33590 (32). Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—Ordinarily, yes. But the Chief Commissioner believes that some officers are deterred from taking privilege leave owing to fear of a transfer on return to duty. Close attention, however, is paid to avoiding excessive transfers, which are certainly less frequent now than was formerly the case.

33591 (37). Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the Administration, and, if so, what; and what remedy do you suggest?—In their letter No. 674-C. S. R., dated the 19th October 1912, the Government of India, in the Finance Department, have proposed, as in the case of the European Services, to abolish certain restrictions on the grant of leave and on the combination of different kinds of leave. The proposal is still under the Chief Commissioner's consideration, and he is not yet prepared to give a final opinion. But he is disposed, at present, to agree with the proposals of the Government of India, as he regards them as likely to benefit distinctly the interests of both the Administration and its officers.

33592 (38). In particular, are they a contributory cause of excessive transfers of officers, and, if so, how can this difficulty be met?—Close attention is paid to avoiding excessive transfers, and the leave rules do not contribute materially to such transfers.

33593 (39). Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—The Chief Commissioner is not prepared to recommend the complete assimilation of the leave rules applicable to the European and Indian Services, but he considers that some of the present leave rules require amend-

ment in the interests of the latter. Under the present rules ten years of service must be rendered before furlough is first taken, and a subsequent interval of 8 years must elapse before it is taken again. This is a hardship which will be removed if furlough earned is allowed to be taken at any time, subject to the exigencies of the Public Service. Again, at present an officer can obtain 5 years' leave in the course of his service, but 3 out of the 5 years can be obtained only on medical certificate. This restriction might fairly be abolished. The Chief Commissioner does not apprehend that the changes proposed would result in a material increase of the amount of furlough taken. Officers of the Provincial Service are generally reluctant to take furlough, as they prefer to remain on duty on full pay rather than take furlough on reduced pay. This, however, does not in the Chief Commissioner's opinion indicate that the furlough allowances should be increased. Most of the officers concerned are serving in their own country, and ordinarily the privilege leave that they can earn is sufficient either to enable them to attend to any private matters which may require their presence, or to give them such rest and relaxation as may be necessary.

33594 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—The present system is satisfactory.

33595 (41). Have you any suggestions to make in favour of any modifications in its detailed working, and, if so, what, and for what reasons?—None.

33596 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—The Chief Commissioner considers the rules satisfactory.

33597 (45). To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially recognised funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—Out of 148 members of the Provincial Civil Service, 77 subscribe to the Government General Provident Fund as follows:—

At 12½ per cent.	49
„ 9⅜ „	4
„ 7 13/16 per cent.	1
„ 6¼ per cent.	23

MR. J. HULLAH called and examined.

33598. (*Chairman.*) You are here, I understand, to answer questions on the statement put in by the Local Government*?—Yes.

33599. In what year was Berar amalgamated with the Central Provinces?—Towards the end of 1903.

33600. The complications and troubles from which you are suffering here are due in a measure to that amalgamation?—Yes, some of the complications are, but I would not include the troubles.

33601. How many of the officers of the old Berar Commission are there left?—Eleven.

33602. You have applied for your two cadres to be combined in one cadre. Has sanction been granted?—No, the amalgamation has not been sanctioned yet.

33603. You say that the listed posts consist of four headships of Districts, and two Divisional Judgeships. Is this correct? I am asking because I notice that Mr. Nelson, who is to come before us next week, says that the correct figures are two headships of Districts and two Judgeships and two posts which must be either the former or the latter?—That is what the Chief Commissioner recommended.

33604. Are those the actual figures to-day?—No, the Government of India and the Secretary of State did not accept that recommendation, and, as far as the figures at present sanctioned go, there are four District headships and two Judgeships. I think that is correct. That is how the Government of India have read the position.

33605. I notice that you and other witnesses have raised strong objections to the listing of the three Berar posts on the ground that the vested interests of the Service have been interfered with?—Yes.

33606. Apart from the Berar listed posts, how many listed posts have you for the Central Provinces?—Three listed posts, one headship of a District, one Judgeship, and one in the alternative, either a headship of a District, or a Judgeship.

33607. I presume that as each occupant of a Berar listed post withdraws his post will become available for the Provincial Civil Service?—Yes, and, possibly, I should think, they would be eligible whenever any of the officers now holding them go on leave; the officiating vacancy will go to a Provincial Civil Service man.

33608. So that ultimately these posts will become listed for the Provincial Civil Service?—Yes.

33609. With reference to your answer to question (72) I am right, am I not, in assuming that if the eight years' period were reduced there would be a corresponding reduction in the inferior posts and in the leave and training reserve, and that would entail a diminution in the number of junior officers?—Certainly.

33610. Are you in a position to tell us whether the administration of this Province could be carried on with fewer junior officers in the Indian Civil Service?—No, I do not think it could. I think the number of inferior posts just about meets the requirements of the Province now, and if they were reduced it would be difficult to find sufficient men to fill district requirements.

33611. You say there are six so-called superior posts in your cadre, which need not necessarily carry superior pay, and that this is one of the reasons for the block in promotion in your service. Why cannot senior officers be appointed to these posts? If senior officers were appointed, would not your difficulty be largely got over?—Yes, it would; but four of them are Settlement officerships, and Settlement officers are not allowed to take any leave except privilege leave, and men

* A note by the Chief Commissioner is printed as Appendix I.

of standing do not care to take posts which will prevent them from taking leave for a long period. Some settlements last quite a long time, sometimes five years, and they have been known to last seven years.

33612. You think that that would be an insuperable difficulty in the way of appointing senior officers?—You could say to the officer: "You *must* take Senior Settlement" and he must then do so. You are generally allowed an option. I was myself allowed an option to take a Settlement or not.

33613. Has any recommendation been made by your Government to remedy this difficulty?—No, none.

33614. You say that you have now four officers, whom you name, on deputation under the Government of India?—Yes.

33615. As a matter of fact at the present time, counting those who are on deputation, you have seven altogether, have you not?—There are the four officers already mentioned; then there is Mr. Sly, that makes five. I do not know whether you would count Mr. Barr. I cannot recall the seventh.

33616. In what way has the reduction in the number of Government of India posts for which you recruit really hurt the Service?—I do not think the reduction of Government of India posts has hurt the Service at all. I do not think it is in any way implied that it has hurt the Service.

33617. You have dealt exhaustively, and we are grateful to you and to your Government for it, with all the conditions of service, salary, leave and pension. The whole scheme has been so explicitly put before us that I do not think there is any necessity for me to cross-examine you at any length upon it. Perhaps you would put in copies of the correspondence with reference to the pay and grading of officers in the Central Provinces, and the Berar Commission, which you have referred to in your answer to question (92)?—Yes, certainly, I will put it in.

33618. I may take it, I presume, that the proposal made there for regrading is now superseded by a proposal for a time-scale?—If we could get a time-scale, I imagine we shall abolish grading altogether.

33619. Am I correct in understanding that of the two you would prefer the time-scale?—I would, and I believe nearly all the members of the Service in the Province would.

33620. You say that the Chief Commissioner would suggest recruitment for the Provincial Civil Service through the medium of a Board with a non-official element upon it. Can you tell us whether there is any precedent for this proposal?—No, I know of no precedent for it.

33621. It is a new and original suggestion?—Yes, I believe so.

33622. Can you tell us how many officers have actually been passed over and left in the grades of Rs. 400 and under, in the Provincial Civil Service?—There have been seven such officers in the Executive and five in the Judicial Branch.

33623. I take it generally that what you are really pressing for to get over your difficulties, both in the Indian Civil Service and in the Provincial Civil Service, is the establishment of a time-scale?—Yes.

33624. (*Lord Ronaldshay.*) In answer to the Chairman you said that the number of inferior posts now filled by officers of the Indian Civil Service was the minimum necessary for efficient administration, did you not?—Yes, that is what I meant to be understood.

33625. You mean by that that in your opinion the efficiency of the Administration might suffer if you were to reduce the number of inferior posts filled by Indian Civil Service officers, and filled them instead by Provincial Civil Service officers?—I think so.

33626. But if that is so it seems to me that the only way in which you can get over difficulties in the way of blocks in promotion would be by creating an additional number of superior posts, would it not?—Yes, if you are going to retain the present system of recruitment. You must create more superior posts if you want more inferior posts.

33627. It is the position at the present moment that you have more inferior posts filled by Indian Civil Service men than are required to recruit your superior posts?—Yes.

33628. And at the same time you think you have not too many inferior posts filled by Indian Civil Service men?—My meaning was that the number allowed under the scale of recruitment gives us just the right number of men in the inferior posts; that is to say, an allowance of 39 per cent. of the superior posts works out at twenty men, and twenty is just now about the number which is required.

33629. You think the model figures are correct?—Yes, I think the model figures are correct.

33630. Is your grievance that these model figures are exceeded as far as the inferior posts are concerned?—Yes.

33631. That does not get me over the difficulty yet, because I understand you to say that the number of inferior posts now filled (not the theoretical number, but the actual number) by the Indian Civil Service men is the minimum necessary for efficiency in the Administration?—I did not mean to say that at all; if I did say it that was not my meaning. We may have even too many, or rather more than are needed to fill the inferior posts. As a matter of fact, with our Settlement officers there may be.

33632. Then I may take it that at the present moment you have more Indian Civil Service officers filling inferior posts than are necessary for the efficiency of the Administration?—I think so.

33633. With regard to the posts you have just referred to, that is to say the posts of Settlement officers and the Director of Agriculture and the Registrar of Co-operative Credit Societies, is your demand that a definite salary should be attached to these posts making them superior posts, and that the pay should not depend upon the grading of the officer, who fills them?—Yes, I think so. As regards the Settlement officerships, and as regards the Directorship of Agriculture, and the Registrarship of Co-operative Credit Societies, I would insist that these posts must be held by a Deputy Commissioner, a man taken out of the ranks of Deputy Commissioners, I would not mind what grade, seconded, and another man put in his place.

33634. If that was done, of course, those posts would become, *ipso facto*, superior posts?—Yes, exactly the same as the Inspector Generalship of Police.

33635. So that so far as those two posts are concerned, your difficulty would be got over if your suggestion is carried out, namely, that they should be filled by Deputy Commissioners?—Yes.

33636. But with regard to the four Settlement officers' posts, would you say that each of those posts must carry with them a salary of, say, Rs. 1,000 or upwards, or whatever you think necessary; and that that salary should be paid to the officer who holds these posts quite irrespective of the grade which he may occupy in the Service?—It is very difficult, but I think I would recommend that. I would make the pay large enough to make it worth the while of a man of nine or ten years' service to take those posts. You might have one of Rs. 1,400, one of Rs. 1,300, one of Rs. 1,200, and one of Rs. 1,100, and let the actual holders draw the pay.

33637. In that case they would be generally filled by a man who had had his first furlough; and that would get over the difficulty of no furlough being allowed to a man occupying those posts?—Yes.

33638. How does the position which I find described in your printed answer arise? The great grievance from which you are suffering in this Province is that a large number of officers of more than eight years' service are forced to occupy inferior posts. I see that you give us a table, which shows us, specially in the year 1910, a very considerable number of names of officers of less than eight years' service who are occupying superior posts. I want to know how that arises in view of the fact that it is such a grievance with you that you have so many officers of more than eight years' service who are not occupying superior posts?—In that period, the last half of 1909, and practically the whole of 1910, the number of superior officers on leave was abnormally great. I have worked it out, and find that the number of superior men who were on leave was large and promotion was temporarily quite good in that period of a year and a half.

33639. Then the fact that in those two years you had so many junior officers filling superior posts was entirely due to the very large amount of leave taken?—Yes.

33640. What are these Deputation posts which you speak of. In 1912 I see there were six officers actually on deputation. Could you tell us briefly, what the posts were which they were occupying?—In 1912 four was the maximum.

33641. Four was the maximum at any one time, but in January 1912 there was Mr. Phillips, Mr. Marten, Mr. Leftwich and Mr. Bathurst, and in July the same year there was Mr. Maw and Mr. Findlay, who were getting Deputation posts?—Mr. Phillips was an Additional Member of the Legislative Council. Mr. Marten was in charge of the Census operations, Mr. Leftwich and Mr. Bathurst were enquiring into grazing in Government forests. In July, Mr. Maw, I think, was just marking time before he could take over the office of Chief Secretary. He arrived too soon. I think his deputation was only for a few days. He was put on special duty in the Secretariat. Mr. Marten was in charge of the Census, and Mr. Findlay was on special duty in connection with the proposed Legislative Council in these Provinces.

33642. With regard to your answer to question (88) you say that the junior members of the Judicial Branch are also sometimes given Magisterial work in order to train them to Sessions Judgeships. At what age do officers of this Province join the Judicial line, that is to say, after how many years' service?—It varies a good deal; but I think on an average it is after about three or four years' service. I have not looked that point up; but I think that is the case.

33643. The Magisterial work they get during their first three or four years' service is not always considered to be sufficient to train them for their future work as a Sessions Judge?—I do not know that I can say that that is the case; but there can be no harm in allowing a man who is a District Judge or a Subordinate Judge to take still further criminal work in order to make him still more fit for a Sessions Judge.

33644. When he does that, does he take part of the work of the District Officers?—Yes. He is generally a first class Magistrate given first-class cases to try.

33645. At the bottom of your Statement showing the rates of pay, and the number of posts in each of the main grades of the Service, I see the pay of Divisional Judges in the second class is Rs. 1,400, and of Divisional Judges of the third class Rs. 1,833. That is clearly a misprint, is it not?—Yes, that must be wrong.

33646. Do you know what the correct figures ought to be?—No, I cannot say offhand. I shall have to look it up.

33647. Will you have that corrected?—Yes, I will.

33648. With regard to the provision which officers of the Provincial Civil Service are able to make for themselves and for their families on retirement, you say that roughly speaking half the officers in the Provincial Civil Service subscribe to the General Provident Fund. In some Provinces we have had evidence to the effect that the provision which a man can make by subscribing to the General Provident Fund does not always meet the case. It does not, for instance, meet the case of a man who dies almost immediately after he leaves the Service, or possibly when he is about to retire. In that case no provision is made for his family, and I want to know whether you can tell us if there is any demand in this Province for something in the nature of a Family Pension Fund for the Provincial Civil Service?—I am afraid I do not know. Not so far as I know.

33649. Do you think that subscription to the General Provident Fund ought to be made compulsory in the case of the Provincial Civil Service, or should it be left voluntary, as at present?—I am afraid I have never given the matter my attention. I cannot give you any opinion.

33650. (*Sir Theodore Morison.*) Would you give us a little more definite help in this matter of uniformity of salaries in the different Provinces? I see that the answer of the Chief Commissioner is rather negative. He is not prepared to say that there should be absolute uniformity. We

are getting rather contradictory evidence with regard to this. We get the Provinces that are, as you say here, markedly and unreasonably inferior to others, and we also get Provinces in which the cost of living is very great, and they say it is extremely unreasonable that they should be paid at the same rate as in Provinces where living is cheaper. What, on the whole, is your view upon the big question?—I think I would make the rates of pay the same, as nearly as possible, in all Provinces; but certainly where the cost of living was markedly greater I would allow higher rates of pay. That might be done within certain parts of certain Provinces. Calcutta, for instance, may be much more expensive; I do not know, as I have never been there. But on the whole, I would get uniformity as far as I possibly could.

33651. On the whole you think that the injustice, so to speak, of different rates of remuneration is less if you get a level rate of pay throughout?—I think so.

33652. I ask that, because you say, "in absolute uniformity," and the rest of the argument rather points out the evils which occur in the Central Provinces as of very marked disparity?—I think we ought to be on the same footing as the United Provinces and the Punjab; I know that the United Provinces men are paid better than the Punjab men, and the Punjab men are graded better than we are, even if they are not better paid than we are. As a matter of fact, their Commissioners are paid better than ours.

33653. Do you see any reasons, except historical ones, why they should be paid differently?—No, I do not see any reason.

33654. Between Regulation and Non-Regulation Provinces?—I do not know what the difference between a Regulation and Non-Regulation Province is in actual practice.

33655. Was the scale of pay in the Central Provinces at all influenced by the fact that when this Government was constituted, living was much cheaper in the Central Provinces than in the old North-West Provinces?—I do not know at all.

33656. You do not think in either case that the cost of living had anything to do with the settlement of salaries?—No, I do not know.

33657. With regard to your answer to question (111) why do you think that a man who takes his leave in India should be penalised at all? Why should he not get the equivalent of each of his £100's? You refer to it in the last part of your answer, "the alternative sterling of rupee rates"?—That answer does not represent my opinion: it is the Chief Commissioner's.

33658. May I have your individual opinion?—I have not thought of it at all. That was the answer the Chief Commissioner told me to give, and I put it down. I am afraid I have not thought about it. I have never thought of taking leave in India myself, so that it has not interested me.

33659. You do not know whether there is any strong reason why the Chief Commissioner who supports the proposal does not, so far as you know, represent any deliberate policy in the matter?—No, I do not think so.

33660. With regard to your answer to Provincial Civil Service question (6) you recommend that nominations should be through a Board, do you not? How are appointments made now? How is the nomination conducted at the present moment? Have you a Board of sorts?—To a certain extent, yes. The Commissioners make nominations from outside. The Commissioners recommend candidates each year, but there is no Board of selection on those candidates.

33661. The Commissioners nominate for a certain number of vacancies?—They nominate a certain number of candidates each year, irrespective of the number of vacancies, and when vacancies have to be filled the Chief Commissioner selects from among those candidates and from among the members of the Subordinate Service, *i.e.*, Tahsildars. The Commissioners at Pachmarhi prepare lists of Tahsildars who are fit for confirmation as Extra Assistant Commissioners; and those officers are generally tried first as temporary Extra Assistant Commissioners. We generally find it necessary to keep employed three or four temporary Extra Assistant Commissioners.

33662. So that the selection for the direct appointments is made by the Chief Commissioner on the recommendation of the Commissioners?—Yes.

33663. And for the Chief Commissioner you would substitute a Board?—Yes, that is the proposal.

33664. You would leave the recommendation of the names to the Commissioners, who know the local circumstances?—I cannot give any opinion. I do not know how the Chief Commissioner proposes to deal with it. Perhaps he intends the nominations still to come from the Commissioners, but I really do not know.

33665. With regard to your answer to question (3) of the Provincial Civil Service questions, what educational qualifications are, as a matter of fact, accepted in the case of Europeans and Eurasians?—I am afraid I cannot say. I have not looked it up.

33666. It is something less than the B.A. or the B.Sc.?—I imagine it might be so, as lower educational qualifications are clearly allowed.

33667. I wanted to know whether it was something like the Oxford and Cambridge Local. It may be that they do not take Indian University degrees?—Some of them do.

33668. I wanted to know why you do not accept it in their case?—I will look it up and find out what educational qualifications have been lately accepted.

33669. (*Mr. Madge.*) If I have not fully understood the last sentence of your answer to question (33) it can only be because I am not familiar with the facts. You say: "The two Assistant Commissionerships are, however, not listed as such. They have long been merged in the Provincial Service as Extra Assistant Commissionerships," and then follow the words, "like two Small Cause Court Judgeships which were also listed, but were afterwards merged in the cadre of the Provincial Service." In the latter case the posts were transferred to the cadre, but you do not say the same thing of the two Assistant Commissioners. Were the cases exactly similar?—Yes; the cadre of the Assistant Commissioners was

actually cut down. The posts were absorbed; that is to say, when a vacancy arose in the first class of Assistant Commissionerships, instead of giving promotion to a second-class Assistant Commissioner they abolished the post.

33670. That means that four appointments have been removed, practically, from the listed appointments, two of Assistant Commissionerships, and two of Small Cause Court Judgeships; or does it not mean that?—The Provincial Service have equally good appointments included in their cadre. It is a very difficult matter altogether. One goes on increasing the number of Provincial Service appointments, and consequently increasing the Provincial Service cadre; and those two Small Cause Court Judgeships were two posts which were included in one of the revisions of the cadre.

33671. Does that mean that if these four appointments had been removed from the Provincial cadre they would have been otherwise compensated?—Yes, certainly.

33672. More than compensated?—Yes, more than compensated, I should say.

33673. In answer to question (41) you say: "The Chief Commissioner considers that, although the period of eight years may result in an officer being as much as 33 years of age before he ordinarily receives the pay of a superior post, yet this period cannot be reduced since a shorter period will not give an officer sufficient experience to fit him for the headship of a district or for a Sessions Judgeship." Does that mean, as I understand, in the earlier portion of every Civilian's career that he derives from the exercise of Executive functions valuable general knowledge which serves him whether he takes the Executive or Judicial side?—I should say that that was true.

33674. You think it undesirable to shorten the period of eight years?—Yes.

33675. That means that if it were shortened a man appointed to the Judicial Service would lose general knowledge which is a valuable asset to him now?—I am afraid the subject was not at all considered by the Chief Commissioner with a view to Judicial appointments. Part of the eight years' service need not be wholly Executive. A junior Civilian may be, during his first eight years, a Subordinate Judge or a District Judge before he becomes a Sessions Judge. In either case he has got eight years' training under the system recommended, Executive for Executive, and purely Judicial for Judicial.

33676. All the same, during that period he would, with a maturer mind, acquire experience which would be afterwards valuable, would he not?—All experience is valuable, I take it.

33677. But some people hold that the Judicial frame of mind is rather different from the Executive frame of mind. I am not a holder of that opinion myself, but I should like your views upon it. You have already said you would not shorten the period whether a man is changed about from a Judicial to an Executive office or not. If up to eight years he has some experience of Executive office, he is gaining, with a maturer mind, experience which would be valuable to him whatever his future career might be?—I think so.

33678. In answer to question (84) you say: "A scheme is now in course of submission for the complete reorganisation of the Judicial Department." What is your own opinion on this point? It is really a question as to the stage at which bifurcation should take place. Some have held that the final revision should not take place until the man is confirmed in the office of Sessions Judgeship. Are you inclined to that opinion, at all?—I should be inclined to put men into the Judicial Department somewhat earlier than that.

33679. I see you have referred to a method by which Judicial experience may be gained by Executive officers even in the earlier portion of their career?—Yes.

33680. You do not think that bifurcation should be delayed until a man is confirmed in the office of Sessions Judgeship?—I should not think you need delay it as long as that.

33681. As regards recruiting the Sessions Judgeships from the Bar, have you any very definite opinion on the point?—No.

33682. You have considered it, I suppose?—Not very carefully.

33683. Would you tell us whether you think it would be advisable or not?—I should prefer not to say anything at all.

33684. Still, you can hardly help saying that a barrister appointed straight to a Judgeship would want the valuable general experience which an Executive officer gains from mixing among the people?—Yes.

33685. You say: "The Executive Branch of the Service exercises magisterial functions. Junior members of the Judicial branch are also sometimes given magisterial work in order to train them for Sessions Judgeships." And then in the next sentence you say: "Civil cases in all stages are tried almost exclusively by Judicial officers who have no Executive functions." Is there any way by which both classes of officers by interchanges of office in the earlier portion of their career might make up for the want of the kind of experience necessary either on the Executive or on the Judicial side?—I am afraid I have not thought that out carefully enough to give any opinion upon it.

33686. May I ask you, if you think such a thing were possible, whether there would not be a re-duplication of office, with the result of increased expenditure?—The position is this: you want to interchange junior men, Executive and Judicial, now and then.

33687. You say that the Judicial officers have no Executive functions, but you say in a previous place that "the Executive Branch of the Service exercises magisterial functions. Junior members of the Judicial branch are also sometimes given magisterial work." My point is this. Is it possible during the first eight years of a Civilian's career so to arrange that both officers who are to be Judicial in future, and officers who are to remain purely Executive in future, may acquire experience of both, and acquire it without duplication of office and leading to much expenditure?—I daresay it could be done. I should have to think that out a bit more before I could give a definite opinion.

33688. In answer to question (94) you say that the term "Non-Regulation" is now practically meaningless. Does that mean that in this Province the Administration has so conformed to scientific rule as it prevails in a Regulation Province, that the distinction has disappeared, or that it has never existed?—I do not think any practical distinction in methods of Administration now exists.

33689. I do not know how it is here, but you must be aware that in some Provinces the Government of India in consultation with Local Governments issues Regulations on certain points which apply exclusively to Non-Regulation Provinces. Have you any such order relating to this Province? If I mention one perhaps you will understand. In dealing with primitive races it is thought unadvisable to introduce a complicated system of procedure. Not only is the procedure laid down in some Provinces, but the trying officer is authorised to allow legal advice in some cases. Have you no such orders here?—No, I think not. I cannot remember any. There are Scheduled Districts to which certain laws do not apply, but I am not aware that they have any special laws or rules for them.

33690. Then there are scheduled districts which differentiate them from other districts. Is that done because the people are more primitive?—I think so.

33691. (*Mr. Fisher.*) Would there be any great objection to assimilating the official nomenclature of Regulation and Non-Regulation Provinces?—I do not think so.

33692. None whatever?—None whatever, that I can think of.

33693. I notice that you refer to a scheme of reorganising the Judicial Department which is under consideration. Am I right in assuming that if that scheme is carried out the block in promotion will dissolve?—No. It will partly dissolve if the Executive grading proposed is adopted; but it will not absolutely dissolve, most certainly not. That block is going to be with us for some time yet, even with our proposals for better grading.

33694. But if your proposals for better grading are carried out, and if this scheme for Judicial reorganisation is carried out, will those two measures be sufficient?—No, there will still be a block.

33695. What else will be required to remove it?—I should say a time-scale.

33696. Those three measures in combination would remove it?—You cannot very well have them in combination. I think a time-scale is the only way of removing the block, except very radically altered grading, much more than anything which has been proposed. We cannot expect an excessively favourable grading to be introduced merely to relieve a temporary block, otherwise, when that block does disappear we shall have much too favourable a grading.

33697. With regard to the Provincial Civil Service, do you recruit men into the Provincial Service just after they have taken their University course, or is there generally an interval?—I think there is generally an interval.

33698. Does that operate hardly upon the poorer University student?—I do not think so. A University degree does not give a right to employment in Government.

33699. No, exactly. But you prefer to get them at an age later than the age at which they normally take their M.A.?—No, I do not think that there is any marked preference for the older men. It happens that there are generally more candidates for employment than vacancies. A man's name may be on the list for three or four years before there is a vacancy for him. If he is recommended four years in succession he is probably a man whose claims may be worth consideration; and so it may happen that we may get them in somewhat older than the ordinary University degree age. I do not, however, think that there is any principle favoured by which somewhat older men are preferred.

33700. There are no particular steps taken to recruit from the ablest young men at the Universities?—If you mean writing to the University, or looking through the list, I should say no.

33701. In answer to question (93) you speak about the dissatisfaction with the rates of pay, and you say it relates to the grading of both the higher and lower posts, and to the pay of the higher posts. Is there any dissatisfaction with the pay of the lower posts?—No, I do not think there is dissatisfaction with the pay. Rs. 900 or Rs. 700 is what is given in most Provinces. We should like them graded better. Rs. 900 for first-class Assistant Commissioners, and Rs. 700 for second-class Assistant Commissioners is not considered to be unreasonable.

33702. (*Mr. Sly.*) One of the grounds upon which this block of promotion is said to have been caused in the Central Provinces is over-recruitment. In order that this may be properly diagnosed, can you furnish us with a statement showing for the past twenty years the theoretical rate of recruitment which should have been in force compared with actual recruitments?—I will put it in.

33703. Coming to the alleged grievance about the listing of three posts in Berar, recruitment from 1886 to 1893 was regulated on the basis of five-sixths of superior posts, was it not?—I believe it was.

33704. As far as the listing of posts in Berar is concerned those men can have no grievance whatever?—I do not think they can have any grievance.

33705. The recruitment was altered in 1903, I think?—It would be 1904, but the Civilians would not join until a year later. The indent for recruits goes in in January, and Berar was amalgamated with us in October or November, anyhow, some time in the autumn. The indent would go in in January 1904; and the recruits asked for would come out in November 1905.

33706. So far as recruitment is concerned, between 1893 and 1905 those recruits can have no grievance with regard to the listing of posts in Berar?—No grievance on the ground that they were recruited for the Berar posts: I concede that much.

33707. What other grievance may they have?—They have the grievance that they were over-recruited for the Central Provinces cadre, and they were recruited for that cadre much too rapidly. Some compensation seems due to them. This compensation was, by a stroke of luck really, partly given to them by the amalgamation of Berar, and then it was taken away; so that they have again got the grievance of over-recruitment in that period as strong as ever.

33708. But they have no grievance with regard to the special recruitment to the Berar listed posts?—No.

33709. Then the only Civilians who have any real complaint against the listing of the three Berar posts are the Civilians from 1905 to 1910?—Those, I think, are the only Civilians who can have a grievance on the ground that they were recruited for those posts.

33710. So long as the posts are held by the three officers in the Berar Commission, they can have no grievance in that respect?—No, I do not think they can, until those members disappear, unless officiating leave vacancies are also to be given to the Provincial Civil Service. In that case they will have a grievance.

33711. Or unless one of the three specified officers should disappear from the Service?—Before the junior Civilians rose to a superior post, yes, or if one or more of them disappeared very soon.

33712. This grievance practically amounts to the fact that officers recruited between 1905 and 1910 should fill any vacancies which occur in those listed posts until they themselves have reached a superior post?—Yes.

33713. That is the total extent of the grievance on that score?—It may go a little further back than 1910: I am not sure it does not go to 1912.

33714. When were these posts listed?—I am not quite certain, but I think they were listed in the middle of 1912, or 1911.

33715. The grievance will exist so long as the officers are recruited to fill those posts, whatever the year may be?—Yes.

33716. With regard to the Civil Service cadre, I find that there are three posts of Judicial Commissioners included in the Civil Service cadre?—Yes.

33717. Have those three posts been filled by Civilians?—At the present moment two of them are filled by Indian Civil Service men, and one is filled by a non-Civil Service man.

33718. Can you tell us if there are any orders as to whether any one or more of those posts shall be recruited from outside the Indian Civil Service?—No, there are no orders.

33719. Can you tell us why one of those posts has, as a matter of fact, been filled from outside the ranks of the Civil Service?—Yes. When one fell vacant it was considered that there was no Indian Civil Service officer suitable for being put into it. The Indian Civil Service Sessions Judges were very junior, and Mr. Stanyon, who had had long experience as a Divisional Judge, was put in with the sanction of the Secretary of State. I might mention, also, that the Government of India stated their definite opinion to the Secretary of State that the second Additional Judicial Commissionership should not be listed as open to the Provincial Civil Service, and the Secretary of State accepted that recommendation. That was mentioned when Mr. Stanyon was recommended for confirmation; but it was pointed out that there was nobody else to put in, and as he was thoroughly suitable for the post, he was put in.

33720. I do not understand that Mr. Stanyon was appointed from the Provincial Service to hold that post?—No, but a listed post, whether filled from outside or from the Provincial Service, is still a listed post. The Government of India actually used the words, "should not be listed as open to the Provincial Service."

33721. That post has never been held by a Civilian, I believe, since its creation?—I think it has. I think Mr. Ismay, Mr. Drake-Brockman and Mr. Batten were the three Judicial Commissioners at first.

33722. Is it not in the interests of the Civil Service cadre that the Government should make up its mind, one way or the other, either by excluding the superior post from the Service, or else by filling it from the Service provided there is a competent officer? At present the Indian Civil Service is being recruited on the strength of one high Judicial post, which the Civil Service does not get?—Does not get at present. The Civil Service has the first claim to it, in case it should fall vacant again.

33723. In answer to question (29) you mention one officer who was recruited in the Central Provinces outside the Indian Civil Service. When was that officer recruited?—In 1902.

33724. Can you tell us why he was recruited?—There was a vacancy in the ranks of the Commission. The sanctioned strength at the time was 73, and the actual strength was 72. I think those are the figures. Anyhow, it was specially stated, when the Secretary of State's sanction was applied for, that there was a vacancy in the ranks of the Commission.

33725. At that time, there was no over-recruitment for the service, in fact it was short?—The service was short, but recruitment had been at too rapid a rate in order to fill up the shortage.

33726. With regard to the proposals made by the Chief Commissioner for a time-scale, the actual time-scale, so far as I have been able to compare it, is the same as that in force in the Political Department, is it not?—Yes, as regards substantive pay.

33727. But there are certain changes which the Chief Commissioner proposes in regard to the conditions under which the time-scale is granted in the Political Department. You say in paragraph 3 of your answer to question (102): "The Chief Commissioner is, therefore, in favour of imposing a limit to the pay that may be granted to an officer who is not actually holding a superior appointment....The Chief Commissioner is, however, of opinion that the limit of Rs. 1,250 adopted for officers of the Political Department is too low,...and would therefore propose Rs. 1,400 as the limit beyond which an officer may not draw pay unless actually holding a superior post"?—Yes.

33728. Can you tell us why it is considered necessary to raise that limit?—Rs. 1,250 must

be too low. It is not high enough to obviate the effects of blocks in promotion. I take it that the primary object of a time-scale is to get an even flow of promotion, and to get rid of blocks. Still, under the Chief Commissioner's proposal there is a possibility of a block, but it is not likely to be so serious. The Political Department says Rs. 1,250 and the Chief Commissioner says Rs. 1,400.

33729. The object of the increase is to prevent a block below Rs. 1,400 ?—Yes.

33730. With regard to the second condition, what is called the "qualification" stage, it is proposed to increase the limit in force in the Political Department of Rs. 800 to Rs. 950. What is the reason for that ?—Rs. 950 is the Political time-scale rate for a man in his eighth year of service. I suppose the Chief Commissioner thinks a man might be allowed to serve as long as seven completed years, and not six completed years, as in the Political Department, before being definitely stopped, if it is necessary to stop him.

33731. That is, instead of deciding in the Political Department in the sixth year of service whether an officer is qualified for a superior post, the Chief Commissioner proposes he shall wait until he has completed eight years' service before promotion ?—Yes.

33732. Then there is another condition proposed, that at a certain stage of the service there should be a line drawn between Deputy Commissioners, Deputy Commissioners capable of holding charge of a heavy district, and Deputy Commissioners capable of holding charge of light districts. If such a differentiation were possible, is it suggested that Nagpur and Jubbulpur should be the only two criteria as to what is a heavy charge ?—I think so. I think you would take a man and say you were going to put him into Nagpur, and if he were considered unfit he would have his promotion limited.

33733. That would be a very difficult thing to judge, would it not ?—It would.

33734. Then the Chief Commissioner proposes that certain existing special and local allowances should be retained in order that the suitability of the time-scale may be considered. Can you give us a list of the special and local allowances ?—I have it with me, and put it in :—

List of Local Allowances payable to officers of the Indian Civil Service.

	Rs.	
Chief Secretary	450	
Second Secretary	200	
Third Secretary	150	
Under Secretaries	100	Subject to a maximum of Rs. 1,000 per mensem.
Commissioner of Settlements	250	
Commissioner of Excise	250	Subject to a maximum limit of Rs. 2,250, but Mr. Mayne held the post without any limitation in respect of his total emoluments.
Inspector-General of Police	450	Subject to a maximum of Rs. 2,500.
Director of Agriculture	150	
Registrar, Co-operative Credit Societies	150	Subject to a maximum of Rs. 2,000 *per mensem.*
Settlement Officers	150	
Political Agent, Chhattisgarh Feudatories	250	(Paid from Feudatory States resources.)
Registrar, Judicial Commissioner's Court	100	
Sub-Divisional Officers of Ellichpur, Khamgaon and Basim	100	each.

Note.—The special allowances are not fixed, and are given from time to time to officers on deputation for special work. They do not exceed one-fifth of salary and are not infrequently less.

33735. There is a question about the Provincial Civil Service which I should like to ask you. We have already dealt with the question of listing the posts in the Berar Commission. I should like to ask you why in 1902 a special low grade of Rs. 200 was introduced into the Provincial Civil Service ?—I cannot say. I do not know why it was introduced. I shall have to look that up.

33736. It is not in force in any other Province, is it ?—No ; I believe not. I have seen all the papers, but I do not remember to have seen any reason stated.

33737. The Chief Commissioner now proposes that that limit should be raised to Rs. 250 ?—Yes.

33738. The time-scale starts at Rs. 250 ?—Yes.

33739. It is proposed that the time-scale should start at Rs. 250, and, as far as I can gather, if the graded system is retained, the proposed grading which he suggests would start at Rs. 300. What is the reason for that difference ?—Does he propose that it shall start at Rs. 300 ?

33740. I think so ; in answer to question (23) of the Provincial Civil Service series ?—That is for the Judicial Branch, is it not ?

33741. Yes, for the Judicial Branch. Let me put my question in another way. If the time-scale is not accepted, would the Chief Commissioner recommend that the grades of the Provincial Executive Service should start at least at Rs. 250 ?—Yes.

33742. (*Mr. Macdonald.*) You recommend the Commission to favour more uniformity in pay between Province and Province, and you have suggested only one consideration which may break that uniformity, namely, the cost of living. Are there any other considerations of the same character which you would bring before us ?—There might be, climate. I suppose Lower Bengal is unpopular on account of its climate, at any rate, I am given to understand so.

33743. What do you say to a different system of grading, a system under which there are more good posts at the top in one Province than in another ? Ought that to affect pay ?—It would work out, I think, in the same way ; but at the same time it would be simpler to make the difference in the rates of pay, if you are going to make any difference.

33744. You would admit, would you not, that if there were more prizes at the top in one Province than in another, the Province with the larger

number of prizes might very properly ask its officers who are waiting for those prizes to accept lower pay. Would you agree with that argument?—No, I do not think I would. I have not recommended that the differentiation should be made by making the number of higher paid posts greater.

33745. We have had evidence upon that point, and I should like your opinion upon it for my guidance. Suppose it were shown that the Commissioners in Presidency A had got more pay than the Commissioners in Presidency B, would you agree that that was a reason why the more subordinate officers in Presidency A should accept a lower pay than the officers in a similar grade in Presidency B?—No, I do not think I would.

33746. In answer to question (104) you say that the Chief Commissioner whilst aware of certain disadvantages in the promotion of Provincial men at a comparatively late age into Indian Civil Service posts, nevertheless thinks that they must be tested. Do you know if he has considered or, failing that, if you yourself have considered, how long it is necessary to test a man for the Provincial Service before you discover that he has qualities which justify you in placing him in higher Service?—No, I do not know if the Chief Commissioner has considered that or not.

33747. You know that it has been brought before us very strongly that if you keep a man in the Provincial Civil Service for a certain length of time he gets into a sort of subordinate frame of mind, and that when you promote him when he gets into that frame of mind he has not that elasticity and self-reliance and power over himself to make a really efficient officer in the higher grade?—I have heard that.

33748. That is the argument which has been brought before us. Then, in order to counteract that, we have been told that promotions must be made at a very much earlier period. From your own experience of the Provincial Civil Service, could you set a limit upon what you would call the economic period for employing a man in the Provincial Civil Service, assuming that you mean to employ him in a listed post, or in the Indian Civil Service itself?—No, I should find it difficult to fix any definite period.

33749. Let me give you a figure, eight years?—Eight years, I think, would be long enough.

33750. Would you be a little more definite and say that over eight years would be too long?—I am inclined to think so.

33751. In other words, if a man does not show exceptional capacity in the Provincial Civil Service within eight years, you would assume that he is not going to show special capacity at all?—I think that that would be a fair conclusion.

33752. Referring to the answer to question (2) of the Provincial Civil Service series, sub-section 3, under the heading of "Educational qualifications," I see in your Rules for admission into the Provincial Civil Service, there is a distinction made between a European or a Eurasian, on the one hand, and other candidates for the Provincial Civil Service on the other hand. Could you tell me why that distinction is made?—I do not know.

33753. You do not know why the Eurasian is classed with the European?—No, I do not.

33754. You do not know why he should be excluded, apparently, if this rule is put into operation, from having the same educational qualification as the Hindu?—No, I do not.

33755. Could you tell me, generally, in the final nomination which takes place, whether any definite attempt is made to give preference to one community or one section of communities over others?—I do not think so. I believe they aim at having all the chief communities represented; but I do not think any attempt is made to prefer any particular community.

33756. When they are represented do you try simply to select them and get them there, or do you try to have a ratio between their strength in the Service and their strength outside?—I do not think any ratio is kept in view.

33757. I see you have given us a table showing how the 148 Provincial are made up so far as community representation is concerned. Is there any reason why those proportions should be there? I am referring to paragraph 8?—They are not proportions; they are actual numbers.

33758. They are actual numbers, but they are also proportions. It does not matter how you put it really. Is there any reason why those numbers should occupy to each other the ratio that they do?—I really do not know if there is any reason or not.

33759. Let us take the Anglo-Indians. There are 16 of them. Does that represent educational qualifications, or does it represent population outside, or does it signify the idea that the Government has of the relative importance of that community in the whole of the Central Provinces, or is it purely an accident?—I can say nothing about the Government's idea of the relative importance of the various classes, but it is certainly higher than purely population would necessitate. If appointments were made on the basis of population, then the Anglo-Indians have got too many appointments.

33760. Supposing you made it on a basis of educated population?—I am afraid I have not looked into that.

33761. (*Mr. Chaubal.*) With regard to the comparison of the charges in this Presidency, with the charges in other Provinces, have you tried to compare the heaviness of the charge as regards population and area in the different Provinces?—No, I have not.

33762. The charge which you say is heavy, so far as the Central Provinces is concerned, may be different in population and area, and after all not so heavy, as compared with the United Provinces and the Punjab or other provinces?—It is possible, I have not looked into it.

33763. I simply want to know whether there was any difference between the two. You pointed to circumstances which made the distinction very marked between Province and Province. I wanted to know whether it would make a difference if area or the population of the charge were considered?—I have not looked into it.

33764. I wish to understand something more about the Judicial Provincial Service. The District Judges do entirely civil work, do they not?—Yes.

33765. There are fifteen posts at between Rs. 500 and Rs. 800?—They do entirely civil

work in the ordinary way. Some of them are Additional Sessions Judges also.

33766. As members of the Provincial Judicial Service, their ordinary duties consist of purely civil work?—Yes.

33767. What are the duties of the 34 Subordinate Judges on Rs. 300 and Rs. 400?—The same, with a difference of jurisdiction.

33768. I suppose the District Judges have larger pecuniary jurisdiction?—They have unlimited pecuniary jurisdiction.

33769. And the Subordinate Judges?—Their pecuniary jurisdiction is limited.

33770. Can you tell me what the jurisdiction of the Subordinate Judges in this Province is?—Rs. 10,000.

33771. And the Munsifs?—Rs. 1,000.

33772. Have the District Judges or the Subordinate Judges any appellate jurisdiction over the Munsifs?—The District Judge has appellate jurisdiction. All appeals from Munsifs go to the District Judge, and all appeals up to Rs. 1,000 from the Subordinate Judges go to the District Judge.

33773. Then am I right in supposing that the Provincial Judicial Service begins with the Subordinate Judges only? Or are the Munsifs in the Provincial Civil Service also?—No, they are in the Subordinate Service here.

33774. Have the Munsifs any legal training?—Yes, I think a great many of them have.

33775. Are they required to be graduates in law?—Yes, I think so.

33776. They are either LL.B.'s or B.A.'s?—It appears that they have to be.

33777. I suppose the Subordinate Judges are recruited mainly from the Munsifs, or are they recruited directly?—They are recruited entirely from the Munsifs.

33778. Those who are called Subordinate Judges are a higher grade of the Munsifs?—You might put it in that way, or say that the Munsifs are a lower grade of the Subordinate Judges.

33779. How long would it take for a man to rise from Rs. 150 to the last grade of the Subordinate Judges?—I am sorry to say that I have not worked that out. It would be difficult to work out, because the cadre has been increased so much lately. We have not sufficient experience to say how long it would take.

33780. I wanted to know how the prospects of the Provincial Judicial Service in this Province compare with other Provincial Judicial Services, and I wanted to know whether there was equal distribution of promotion and whether the promotion was even. Therefore, if you could have told us how long it took for a man to rise from Rs. 150 to Rs. 250, and from Rs. 300 to Rs. 500, and from Rs. 500 to Rs. 800, it would have been useful?—I cannot say.

33781. Can you say in the executive line, the Extra Assistant Commissioners' line, how long it takes for a man to rise from Rs. 200 to Rs. 800; or is there the same difficulty with you in that matter too?—There is the same difficulty too.

33782. (*Sir Murray Hammick.*) I suppose your selections from the Munsifs to the Subordinate Judges is entirely by merit, and not by seniority?—I think so, but I am not certain.

33783. A Munsif at the top of the list would not automatically become a Subordinate Judge unless he showed some capacity?—No, I do not think so.

33784. Can you tell me what proportion of appointments in your Provincial Service have been recruited from the Subordinate Service? I want to know how many appointments in the Provincial Service have been made by recruitment from the Subordinate Service in comparison with the men who are directly appointed?—It is given in answer to question (4) of the Provincial Civil Service questions.

33785. That gives it over a series of years. The figures from 1906 to 1912 seem to show that in the Executive Service only ten appointments were made direct; while something like 44 or 45 appointments were made by promotion. Would most of those promoted officers who come from other Services have started on appointments of Rs. 50 or below?—Not below Rs. 50, some of them might.

33786. Most of these men were Tahsildars?—Yes.

33787. Tahsildars are recruited entirely from the clerical service, I suppose?—No. The policy is very much against that now.

33788. How do you recruit your Tahsildars?—There is nomination for Naib Tahsildars.

33789. A Naib Tahsildar is a Deputy Tahsildar on Rs. 100 a month, is he not?—Rs. 60 to Rs. 100.

33790. May I take it that most of these 45 men are men who have never been below a Naib-Tahsildar?—I should have to verify that. I could not state that authoritatively.

33791. How are your Naib Tahsildars appointed? Are they mostly by direct appointment?—They are taken from outside.

33792. They are not taken from the clerks in Deputy Commissioners' offices?—Not often.

33793. Does a clerk in a Deputy Commissioner's office look forward to any higher appointment than that of the Collector's head clerk?—He might rise to be Superintendent of the District Office. He can get an appointment in the Commissioner's office, and ultimately in the higher posts of the Secretariat.

33794. As a rule he would not be taken into the executive line of the Naib Tahsildars or Tahsildars?—No.

33795. So that we may take it that most of your Provincial men do not begin life as clerks?—I would not say that, quite, because formerly there was a great deal more recruitment to the executive line from the clerical line, and a good many men may have been clerks in the earlier part of their service.

33796. As regards your Assistant Collectors, an Assistant Collector is posted to the Central Provinces when he arrives: how long does he generally stay in Nagpur itself?—It may be only a few days. He may go straight from Bombay to his district.

33797. There is no system by which you keep a man in Nagpur a month or six weeks?—No, there is no such system.

33798. He goes straight to his District?—Yes.

33799. His pay on arrival is Rs. 400 a month?—Yes.

33800. Have you any system here by which you advance him money for immediate expenses for the purchase of tents or horses?—No, I do not think so.

33801. He has to find his own tents, has he?—No.

33802. He is provided by the Government?—Yes, the Government supplies his tents.

33803. He has to supply the horse for himself?—Yes.

33804. Does he take a bungalow when he gets to his district, or does he live with the Deputy Commissioner?—I think the junior men generally find someone to stay with. They do not often have to go into bungalows by themselves. As a matter of fact there is very seldom a bungalow for them.

33805. I suppose that is only a temporary arrangement. He will have sooner or later to set up an establishment of his own?—He sets up an establishment of his own, but he may share a bungalow during a good deal of his earlier service if he is lucky.

33806. I am trying to arrive at the kind of expense entailed on an Assistant Collector. Is it possible in most districts up-country in the Central Provinces to hire furniture, or has he to buy it?—He generally does with extremely little. The amount he generally uses can generally be got locally.

33807. And what he wants in the shape of furniture is for his camp and tents, and so on?—Yes.

33808. Practically the only expenditure he has to go in for is his horse, and in some places he has probably to buy a trap?—Yes. And I daresay he would furnish his bungalow better if his pay were better.

33809. He has no method of getting an advance from Government, has he?—I understand from Mr. Standen that he generally gets an advance.

33810. From your experience, do you think the financial condition of the Assistant Collector when he arrives is sufficiently good to enable him to get on for the first four or five years of his service without running into debt?—Yes, if he is careful; and if he does not get married.

33811. Do many of them arrive married?—Very few.

33812. You think that if he is a bachelor there is no reason why for the first four or five years of his service he should be in debt?—He must be very careful.

33813. If he does not arrive with money in pocket, he has to borrow, probably, to buy his horse to begin with, if that is a necessity?—Yes.

33814. We have been told that one of the ways of making the Service distinctly more popular at home as regards recruitment would be to increase the Assistant Collector's pay on arrival. We have been hearing a good deal of evidence as to what pay is given in mercantile offices in various places, and some witnesses have told us distinctly that it would be a great advantage as regards making the Service more popular in England if Assistant Collectors were given Rs. 500 instead of Rs. 400 to begin with. Do you agree with that view?—Yes, I think I would fix the initial pay at Rs. 500,

33815. I think you said in reply to one of the members, that you thought no reorganisation of the Service as regards making the cadre better would give satisfaction so far as the block which now exists is concerned; but I suppose you would agree that if the cadre strength of the Service here in the Central Provinces were re-arranged according to the principle laid down by the Government of India for the whole Province, and was not interfered with, as it has been in the past, by this irregular recruitment, and by irregular listing of appointments, the probability is that you would eventually get a satisfactory Service which would give satisfaction to the junior members of the Service?—You must also improve the grading. It is not sufficient merely to arrange your recruitment so that the number of men on duty at any given year of service would be exactly equal to what it should be under the actuarial tables. Even that would not give satisfaction so long as the present grading remains.

33816. In answer to another member of the Commission, I think you said you saw no reason why a greater proportion of prizes at the top of the Service should affect the consideration of the pay which should be given to the more junior appointments; but surely that very principle is taken in assigning the pay to the Judicial part of the Service. In the Chief Commissioner's proposals you have three appointments at the top of your Additional Sessions Judgeships, one carrying Rs. 2,750, and two carrying Rs. 2,500, while the top of your Deputy Commissioner only carries Rs. 2,250. I suppose the reason for those higher appointments in the Judicial Service is because they have not these Commissionerships to look forward to, or the Chief Commissionership or the appointments at the top of the Secretariat which fall to the lot, as a rule, of Executive officers?—That may be a reason; but I would point out that it is proposed to have twelve Divisional Judges, and three Judicial Commissionerships open to them; it is proposed to have twenty-eight Deputy Commissioners, and they have only got five Commissionerships open to them; and it is also proposed that the Judicial Commissioners shall be paid higher than the Commissioners are at present. So that it is not true of these Provinces to say that Judicial men have not got a fair share of prize posts.

33817. You would take into consideration the heaviness of the charges in allotting your pay?—No, I do not think I would. The men would have to take the rough with the smooth.

33818. The Deputy Commissioner in charge of a very heavy district ought to be paid exactly the same as a man in charge of a small district: is that what you mean?—I would give a local allowance for some of the expensive charges.

33819. You would not allow for the heaviness of the charge?—No, I do not think so.

33820. You would do that all through India. You would not make any difference if you found the average area and population of a Collector's charge in some Provinces were very much higher than in others. You would not allow that consideration to come into your calculations in calculating the pay of the Deputy Commissioners in those two Provinces?—No, I do not think so. The way I should tackle that question would be to reduce the size of the heavy charges.

33821. Have you held charge of a district for any length of time?—For a little less than 2½ years.

33822. As a general question do you think that it is advisable or necessary that a Civilian should specialise in certain subjects now more than he used to on the ground that these subjects are coming into prominence? For instance, it has been suggested to us that Civilians should go through a course of Agriculture when they arrive; that they should take the course of reading in Local Self-Government at home; and one witness suggested that they should take a course in Sanitation. Do you think it advisable that Collectors should specialise in these subjects; or that it should be rather the other way, that there are so many subjects which a Collector now has to know about that it is perfectly impossible for him to be anything more than the general administrator of the experts who advise him?—I am inclined to think it would be a good thing if Collectors had a special knowledge of certain branches of their work, but I do not see how it could be arranged. Life is too short. They simply have no time in which to do it. They could only get a smattering of knowlege, and that would not be of any good at all.

33823. You would not suggest in the training of Assistant Collectors any courses of this special character as regards, say, Agriculture and Sanitation?—No, I do not think I would.

33824. The laying out of towns has been mentioned as one of the subjects an Assistant Collector should study?—I would not recommend that.

33825. (*Mr. Thakur.*) In answer to question (35) you say: "During the last five years the listed posts have always been filled by members of the Provincial Civil Service." Is it not a fact that only two posts are held by them?—No, all three.

33826. Who are the three members of the Provincial Civil Service who hold those posts?—Mr. Chitnavis.

33827. Is he a member of the Provincial Civil Service?—Not strictly, but for the purpose of holding a listed post. I admit one is held by a Statutory Civilian. The orders are that until Statutory Civilians disappear they are to be counted against listed posts.

33828. That may be; but as a matter of fact, there are only two posts which are held by members of the Provincial Civil Service. That is a fact, is it not?—Yes, that is a fact.

33829. With regard to the question of two Assistant Commissionerships and Small Cause Court Judgeships having been absorbed, is it not now a fact that the two Small Cause Court Judgeships are no longer posts which are ordinarily held by members of the Indian Civil Service?—They are not held by members of the Indian Civil Service.

33830. Formerly they were, and now they are not posts for which Indian members of the Civil Service are recruited?—That is so. The recruitment now is based entirely upon Statutory posts.

33831. My point is that at present these posts cannot be called listed posts?—I do not understand the point.

33832. The point is this. In your answer you say: "Excluding posts which have been merged in the cadre of the Provincial Service, there are now six listed posts, *viz.*, 3 in the Central Provinces and 3 in Berar, but the three Berar posts are not to be filled by non-members of the Commission until the disappearance of Messrs. Rustomji, Muin-ud-din, and Jatar, who are members of the Commission. The three Central Provinces posts are now held by Provincial Service men, and none of them can be given to any other Native of India." At present there are only three posts which have been listed?—Yes.

33833. Of which only two are held by the Provincial Civil Service?—Yes.

33834. Is that correct?—Yes.

33835. In answer to question (40) you refer to the Act of 1861. Does that Act apply to the Central Provinces?—Yes.

33836. In the official correspondence has it not been held that that Act does not apply to the Central Provinces, and that the restrictions as to scheduled posts are not to be applied to these Provinces?—The schedule itself gives certain posts that are to be held by the Indian Civil Service only in the Regulation Provinces, or rather to be reserved for them in the Regulation Provinces; but some posts are to be held by the Indian Civil Service in any Province, Under Secretaryships, and Secretaryships. Therefore, though the Act applies to these Provinces, its scope is limited to Under Secretaryships and Secretaryships, because the other posts are reserved for the Indian Civil Service only in the Regulation Provinces.

33837. Is there any Statutory obstacle in the way of appointing any member outside the ranks of the Civil Service to posts ordinarily held by the Civil Service in the Non-Regulation Provinces?—I do not know of any Statutory obstacle.

33838. Then the Central Provinces are ranked among the Non-Regulation Provinces. Am I correct in that?—Yes.

33839. Therefore in the Central Provinces there is no legal obstacle to any member outside the rank of the Indian Civil Service being appointed to any of the listed posts?—I do not think there is any legal obstacle.

33840. Therefore, if the Additional Judicial Commissionership you spoke about was given to a member outside the ranks of the Indian Civil Service, there was no objection to that under law?—Under law, quite so.

33841. Are there any Orders prohibiting those appointments?—There are the Secretary of State's Orders, Executive Orders.

33842. Where are those Orders to be found?—In the Despatch of 1876. I will give you the reference. It is Despatch 81, 13th July, 1876.

33843. Was there no modification about these Orders after the House of Commons Resolution came here for opinion. Is there no opinion expressed that whenever competent men are available for those higher posts, appointments may be made?—I do not remember whether there was any such opinion or not. Such appointments can be made, and are made.

33844. Appointments of officers like Additional Judicial Commissioners can be made in the

Central Provinces without any legal objection. Executive orders can be modified at any time by Government, it has the power of modifying them?—The Secretary of State himself, I suppose, has the power to modify the orders.

33845. You spoke about some vested interests in the three Berar posts. Before Berar was joined to the Central Provinces, were they not held by the same men who are holding them now?—Those three officers were in the Berar Commission. I do not think they were holding the same posts as they are holding now.

33846. Were those posts not open to the Berar Commission?—Certainly.

33847. Therefore, by their holding those posts no vested interests have been touched?—No, certainly not.

33848. With regard to question (29) of the Provincial Service questions, do not the proposals made apply to the Judicial side of the Provincial Service of creating grades of Rs. 900 and Rs. 1,000?—No, the Chief Commissioner does not propose to create posts of Rs. 900 and Rs. 1,000.

33849. On the Judicial side?—No.

33850. Are you aware that in Bengal there is already a grade of Rs. 1,000 on the Judicial side?—I do not know it, but if you have looked it up, I have no doubt it is so.

33851. Recently in the United Provinces of Agra and Oudh, they have also created these grades on the Judicial side?—I do not know.

33852. In both those Provinces, I suppose, there are listed posts open on the Judicial side?—Yes, there are listed posts.

33853. I suppose in spite of those posts being open to them, they have found it necessary, or expedient, to have grades of Rs. 1,000 on the Judicial side?—Yes.

33854. May not the Central Provinces have the same privilege?—It does not rest with me.

33855. In your opinion, on these facts, do you say that it would be unfair to the Central Provinces to give posts of Rs. 1,000 on the Judicial side?—No, I would not say it was unfair.

33856. Is there any other reason besides the listed posts being open on the Judicial side more frequently, or not having the same grading on the Judicial side as on the Executive side?—I believe the Chief Commissioner's reason for not proposing grades of Rs. 900 and Rs. 1,000 in the Judicial branch is that in the reorganisation of the Judicial side he is proposing to list five posts of District and Sessions Judge, and only two Deputy Commissioners: so that if his proposal is accepted the Judicial Branch of the Provincial Civil Service will have more listed posts than the Executive Branch. There will be only two open to the Executive Branch, while five will be open to the Judicial Branch. Therefore there is not the same need for high grades in the Provincial Service. I think that is his reason.

33857. In other Provinces too, I suppose, the same sort of openings are in existence for the Provincial Civil Service?—I really do not know about other Provinces?

33858. Do you think direct recruitment for Subordinate Judges will attract better men than at present if any direct appointments are made now? Seeing that the recruitment is confined to lower grades on the Judicial side, would not some direct appointments at the grade of Rs. 300 attract better men who would otherwise go and join the Bar?—I cannot say. I have no experience whatever of the Judicial Department, and I really do not know.

33859. (*Lord Ronaldshay.*) I am not quite clear with regard to your proposals for the application of the time-scale. In the event of a time-scale being recommended, could all officers who are now in the Service, and who would in the ordinary course of events come under its provisions, immediately draw the pay which they would have drawn under it if it had been in force when they joined the Service? If we are to recommend that a time-scale should be put into force to-morrow, would it be your desire that a man who is now, say, an Assistant Commissioner with twelve years of service, should receive the pay, not that he is now receiving in his grade as Assistant Commissioner, but the pay which he would have drawn if the time-scale had been in force when he first joined the Service?—Yes, I think so.

33860. It will immediately apply to all officers now in the Service?—Yes.

33861. Let me put a concrete case, X and Y are two officers, each of twelve years' service. Let us suppose that X is a first-class Assistant Commissioner on Rs. 900. Under the time-scale he would be entitled, as I understand, to Rs. 1,500, would he not?—Yes.

33862. If the time-scale is put into force to-morrow, would this man straight away go from Rs. 900 to Rs. 1,500?—Yes. As a matter of fact, the Chief Commissioner in his proposal has suggested that he shall not draw more than Rs. 1,400 unless he is actually holding a superior post.

33863. I did not bring that in, because it will lead to complications. Is the time-scale to apply to all officers now in the Service?—Yes.

33864. Another case conceivably might arise. Mr. Y might also be an officer of twelve years' service, and, under the present system, he might be a second-class Deputy Commissioner on Rs. 1,800. Would he then revert from Rs. 1,800 to Rs. 1,500?—There is no possibility of such a contingency in these Provinces. But I think it might be fair. You might give him a personal allowance.

33865. You think it would be fair to reduce him from Rs. 1,800?—It would very soon work out quite fairly. You might give temporary allowances to men adversely affected.

33866. You might get rid of that injustice by giving a man a personal allowance and bringing his pay up to the existing pay?—Yes, you might do that.

33867. Can you tell me whether that was done in any of the Departments where the time-scale was introduced, the Political Department or the Forest Department?—I am not certain, but I think it was in the Forest Department.

33868. (*Chairman.*) We should be grateful to your Government if they would let us have

an estimate of what the cost would be of complying with the proposals put forward by them for the amelioration of the condition of the Indian and Provincial Civil Services?—Yes, I will do that, and I will also get out an estimate of the cost of regrading and the alternative proposal of the time-scale.

(The witness withdrew.)

ROBERT CURZON HENRY MOSS-KING, Esq., I.C.S., Secretary in the Finance Department.

Written answers relating to the Indian Civil Service.

33869 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The principle of an open competitive examination is that of selection by scholastic attainments only. This can only be correct on one of two assumptions, either (*a*) that all the candidates are generally suitable apart from their scholastic attainments, or (*b*) that scholastic attainments are so important that other qualifications may be neglected. Probably nobody will maintain that the second assumption can be accepted in the case of candidates for the Indian Civil Service. I would even go so far as to say that mere scholastic attainments count for comparatively little in practice. The difference in scholarly qualifications between the first ten and the last ten successful candidates of any one year must be considerable, and while I have not been able, or had the leisure, to work out this view thoroughly, I have practically no doubt that, in their subsequent careers in India, there is no general superiority of those who took the higher places over those who took the lower places in the examination. If, therefore, the principle of open competitive examination has been generally satisfactory in the past, it can only be because we have attracted candidates generally suitable apart from their educational qualifications. This has been more or less the case, because we have drawn our recruits mainly from the big English public schools and in my opinion no better material can be obtained. But this is an unsafe assumption to take for granted and I, therefore, do not consider the principle of open competitive examination altogether satisfactory and I believe that it will tend to become less so.

33870 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—I should like to see some form of nomination and selection of candidates prior to examination. The success of the existing system has been due, in my opinion, to the fact that our candidates in general are being drawn from the big public schools and, so long as that is the case, there will be a very few exceptions to our obtaining suitable men for the Indian Civil Service. But with the increasing cheapness, and the downward spread of education, the Board Schools are rapidly entering into competition with the public schools so far as the mere passing of examinations is concerned, and without meaning anything derogatory either to the Board Schools or to the material which they turn out, I do not think that they aim at producing, or are even intended to produce, the class of men we require for the Indian Civil Service. What we require, apart from a reasonable standard of education, is character, manners, reliability, and straightforward ability to "play the game," all qualities which in my opinion cannot be acquired anywhere better than in the large public schools of England. I would lay stress on the fact that I do not think Universities are in any way as efficient training grounds as public schools. A man may derive great advantages from a University course; on the other hand he may derive none, because a University is too big and contains too many men to allow sufficient attention being paid to any individual by his fellows, and it is first in his own home and afterwards at the hands of, and in intercourse with, his fellows, that a boy mainly acquires those qualities which I have mentioned above and which are to my mind absolutely essential for members of the Indian Civil Service. I would mention here that, to an Indian, caste is of supreme importance and, while we in England do not define caste in the same sense as in India, we none the less understand what it means, and my experience is that nobody can more clearly recognise and appreciate caste in a European than an Indian. All these things competitive examination takes no account of and I do not think it would be advisable to allow in future no other means of selection.

33871 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—Yes, subject to what I have said above, I consider the system equally suitable for the admission of Natives of India and other natural-born subjects of His Majesty, provided always that they have been to England, and gone through a course of English, preferably public-school training. The system is not suitable if such admission is to be allowed merely by examination on the strength of education and training which has not been on British lines. I take my stand on the premise that the object of the present system, as of any modified system that may be introduced in its place, is to provide an essentially British Administration in and for India. This British character of the Administration will not, in my opinion, be impaired merely by the admission of members of other than British birth, but it will be impaired by their lack of British training and education.

33872 (5). Do you consider that the combination of the open competitive examination

for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interest? Please give your reasons?—Yes, my reason is that if you separate such big examinations as those of the Home, Indian and Colonial Civil Services, I believe either service might lose quite suitable candidates, who might be willing to enter any one of the three but who, being compelled to select one and happening to fail in the examination for that one, would probably be unable to compete at either of the other two separate examinations. My remarks are, of course, subject to the condition that the age fixed for all these examinations is the same. If the age for any one examination is altered, it must necessarily be held separately, but in that case unsuccessful candidates would have a chance of competing for the other examinations.

33873 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(*a*) Selection by headmasters of schools approved or otherwise: (*b*) Selection by authorities in Universities approved or otherwise: (*c*) Nomination by headmasters or University authorities and selection under the orders of the Secretary of State: (*d*) Combined nomination and examination: (*e*) Any other method?—I have already answered this question in my previous answers. I would recommend the system based on the principle of nomination followed, if necessary, by examination. The nomination should not be made either by headmasters of schools or by authorities in Universities, approved or otherwise, but by a Board of which *at least* half the members should be men who have served in India, than whom there can be no better judges of what the requirements for Indian service are.

33874 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—This question has already been fully discussed. I am entirely opposed to any system of simultaneous examination in India and in England. My principal objections to any such system are the following:— (*i*) I do not believe that in the present circumstances, any system of open competitive examination for Indians can be sound. I have already mentioned that caste is of paramount importance; the competitive examination would exclude caste from consideration altogether. Moreover, neither in his home, nor in his school, nor in his University does the Indian, under present conditions, appear to get that training in character and manners which I consider to be essential. I have occasionally had to speak to Indian gentlemen about the conduct of their sons, more often Indian gentlemen have come to me for advice on the same subject, and my experience has been that they have all without exception admitted that they have no control over their sons, who have never, as boys, been subject to, or had experience of, any effective discipline. Whatever system may be adopted for the admission of Indians into either the Indian Civil or any other Service in India, it should not be that of competitive examination, but of nomination followed by either a qualifying or a competitive examination and subject to a period of probation. (*ii*) My second and strongest objection is this. The object of the examination for the Indian Civil Service is to provide a British Administration in India. This object would be entirely defeated by holding examinations outside England. Candidates who are not only not of British birth but who have not even been trained in British ideas will, under any system of simultaneous examination, obtain admission into the Civil Service in increasing numbers, over which there can be no control, and the inevitable result will be the complete cessation of competition from the British Isles. I consider this a very serious and real danger; Englishmen will undoubtedly cease to compete for service in India, not the least because they are afraid of being beaten, but simply because they will not join a service in which the majority of their colleagues are not of their own race. If the British character of the Administration in India is to be maintained there must be only one examination for it and that must be held, as now, in the British Isles. I would here venture to dispute one assumption that seems to underlie the proposal for simultaneous examination, *viz.*, that one examination in London is a serious obstacle to competition by Indians. A great and increasing number of Indians go to England for the purpose of qualifying for the Bar, for entering the Medical Service and for other objects. I see no reason why they should not be able to do the same for the purposes of competing for the Indian Civil Service. Poverty may stand in the way of some, but it equally stands in the way of others than Indians and antecedent conditions can in no case be equalised. If Indians are to enter a service of which the predominant character is to be essentially British, it is not too much that they should first be required to proceed to England where alone they can get education and training on British lines. (*iii*) Another strong objection is that any appreciable increase of the non-British element in the Indian Civil Service, would not, I believe, commend itself to the general public of India. I have a very definite impression, gained in the course of my service, that there would be a large body of opinion against the importation of any such element. (*iv*) A further objection is that any system of selection solely by examination can only be justified by presupposing that all the examinees are generally suitable, and will be found to be practically efficient for the duties which they will subsequently have to carry out. I do not consider that Indians have, as yet, shown themselves to be as a class, and

in the mass, suitable and efficient for the work of the Indian Civil Service. I base my opinion on my experience of the Provincial Service, which is a very carefully selected service, composed generally of precisely that class of Indian gentlemen that one would hope to find successful if an open examination were instituted. The way in which all members of the Provincial Service, with whom I have had the pleasure of serving, have carried out the duties entrusted to them, the loyal support they have invariably accorded to myself, command, and have always obtained, my warm admiration. But if I am to be honest, I can only say that I have not myself been so fortunate as to know a single member of that service whom I should be able to recommend as fit to fill efficiently the post of a Deputy Commissioner. If this can be said of a selected, and in its own sphere very excellent, service like the Provincial Service, and of men who have had special training in, and every chance of showing their capacity for, administrative work, it is *a fortiori* impossible that Indians in the mass should be suitable for such work, and the few brilliant exceptions that may be found only serve to accentuate the position. I am strengthened in my opinion by what I understand to be the fact in respect of the big business firms in India. For practically all their higher and more responsible posts they still employ the comparatively expensive European in preference to the Indian, who, for obvious reasons, would be content with, and could be obtained for, a much lower salary. This is mere business: these firms do what they find pays them best and they can have no other reason for selecting their employés. It is true that business and administrative capacity is not necessarily the same, that a good man of business may make a poor administrator or *vice versâ;* but it is probably more true that capacity, where it exists at all, is fairly general and that a man who can succeed in one direction would not be inefficient in another. At any rate I think that the Government should select its employés on business lines, choosing the material that pays them best and having regard to efficiency and efficiency only. So far as my experience goes, I can only say that Indians have not yet proved their general efficiency for administrative work any more than they would appear in general to have done hitherto in the field of business, which has always been and always will be, open to free competition. What they have proved is their capacity to make admirable assistants under European guidance; what they have yet to prove is their capacity for guiding others.

33875 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—No, for the reasons already given in my answer to question (7).

33876 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I am opposed to any system of recruiting "Natives of India" by means of examination apart from nomination.

33877 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—I think that, as things are at present, the best system under which "Natives of India" could be admitted to the Civil Service is on the lines of the present system of "listed" posts. In this connection I should like to say that the number of such posts should not be fixed as a minimum to which "Natives of India" shall be appointed but as the maximum up to which they *may* be appointed. Appointments should depend solely upon efficiency, and the maximum should be fixed with due regard to the imperative necessity of maintaining the essentially British character of the Administration. Moreover when posts are listed, they should not be filled by "Natives of India" until the claims of all candidates who have been recruited in England with direct reference to those posts, have first been satisfied. To recruit men for a certain known number of posts, and then to debar them from any chance of obtaining a certain proportion of such posts, because these have subsequently been made listed posts, is to commit a grave injustice. I should like to add that the system of listed posts is in my opinion merely a temporary expedient; it affords a side-door for entrance to Indians who have also the right to come in at the front door of the present competitive examination. I see no reason why they should not come in sufficiently freely by the front door to make the opening of any side-door unnecessary. This is in fact what I should like to see. As regards the representation of all classes and communities it is a very difficult question. I think it is fairly certain that, whatever may be the method of regulating the admission of Indians, if it is found that it results in the admission of a large preponderance of any one class or community it will not be regarded as satisfactory by Indians themselves. This is another reason why a system of open competitive examination would not be suitable. On the other hand, if, under any system of nomination, regard has to be paid to the due representation of the various classes and communities, the selection will at once be fettered and the desired representation will only be effected at the expense of efficiency. In other words, we

shall be forced into nominating men, not because they are the best men we can get, but because they belong to a class or community which is not sufficiently represented. I cannot myself see any satisfactory way out of this dilemma, but can only state that the existence of distinct classes and communities among Indians constitutes to my mind a serious obstacle, not only to the devising of a system of admission which will be suitable and satisfactory to *all* Indians, but to their subsequent general efficiency in administrative work. It is a truism to say that success in administration does not depend merely on the capacity a man may show at his office table, or on the mere correctness of his official decisions, but largely on his personal influence. I do not say that is necessarily impossible, but I do say that it will be extremely difficult, for an Indian of one class or community to gain and successfully exercise such influence over Indians of other classes or communities, and this necessarily imposes a very definite limitation on what may be his own intrinsic efficiency and capacity.

33878 (13). Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system that you would propose?—No, I think that any method of recruitment that is suitable for the Administrative Branch will probably be equally suitable for the Judicial Branch of the Indian Civil Service. Judicial Officers of the Indian Civil Service may perhaps be, occasionally, somewhat lacking in legal attainments, but their general training and experience of Indian life constitute, to my mind, a qualification equally valuable for the disposal of Judicial as of any other kind of work, and Civilian Judges supply a special element on the Bench which I think it would probably be unwise to eliminate. I may add that this is purely a personal impression, and that I have not myself had any experience in the Judicial Branch.

33879 (15). If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—I would put the age-limit at 18-20 so as to attract candidates of the normal school-leaving age in England; for it is the public-school man that I think we want to get.

33880 (17). What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—With a very small percentage of exceptions, the recent recruits to the Indian Civil Service have been, according to my experience, suitable; but while admitting that I cannot produce anything tangible in support of it, I have an impression that their quality is tending to decline rather than to improve. I attribute this to the fact that the popularity of the Service has declined in recent years.

33881 (18). What is the most suitable age at which junior civilians should arrive in India?—About 21. Service in India is a specialised one and I think that the younger, in reason, a man comes out to it, the better.

33882 (19). What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India," and for other natural-born subjects of His Majesty?—I do not know what age-limits would best suit candidates who are Natives of India, but I do not see any reason to differentiate between them and other candidates. I do not like differentiation in principle: it is apt to be invidious and the less we can have of it the better.

33883 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the schedule of the Indian Civil Service Act of 1861 (24 & 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54), and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.]?—Yes, I consider it desirable to continue to reserve the posts described in the Schedule of the Indian Civil Service Act of 1861 for the Covenanted Civil Service, because in the first place I do not think we can get better qualified men to fill them, and in the second place we require some guarantee for intending candidates for the service.

33884 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service Cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—Please see my answer to question (10). I like reservation as little as I do differentiation. It implies weakness, and though it may not be possible under present circumstances I should prefer to do without it. I should like to see Indians gaining admission to the Civil Service on precisely the same level and under the same conditions as other competitors, the necessary British proportion being maintained by mere efficiency. But so long as Indians are to enter the service under other conditions, which are not open to any other competitors, I think strict limits of reservation must necessarily be imposed, and I would propose a limit of 20 per cent. of the posts included in the Indian Civil Service Cadre as available for Indians, including those who have gained admission in the ordinary way. If special

conditions for Indians were to be eliminated, then in my opinion no reservation would be necessary or should be made.

33885 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54)? Do you recommend any alterations in this system, and if so, what?—Please see my answers to questions (10) and (24). I regard the special recruitment in India as a temporary expedient of which I do not recommend any alteration at present but which I should hope Indians would themselves be the first to wish, and to try, to do without.

33886 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—My answer also covers *questions (47) and (53) to (56). So long as admission to the Indian Civil Service can be obtained purely by examination, and without any selection or nomination, a probationary period in England is necessary. I should prefer 2 years to one, to be spent at a residential University and in a residential College. But I consider this probation at home a makeshift and unsatisfactory expedient, only necessitated by our present system under which we do not know, or pay any attention to, what the previous training of our candidates has been. Under these conditions a probationary period of 2 years at a University is better than nothing, but it cannot possibly make up for the public school training that every candidate ought in my opinion to have had. If our candidates were selected men, whose selection depended largely, as it ought to do, on their having had a satisfactory school training, I do not think that any probationary period in England would be necessary, and while it is easy to see the difficulties in the way of probation in India, I believe these could be overcome, and I would prefer a probationary period of 2 years out here as being of more practical utility to candidates. I am not in favour of any one centre of training in India: on the contrary, I think the training should, and could, be arranged for in the respective Provinces to which the candidates would eventually be posted, except perhaps in regard to the Law course. It might be difficult to arrange for this course in the Provinces, and if so the necessary arrangements could be made at big centres like Bombay, Calcutta and Madras. Probationers should certainly have an allowance; at home, at a University, I would suggest £150 a year: out here, it would depend on the system adopted, but the allowance would have to be larger, say, Rs. 300 a month.

33887 (72). The present theory underlying the conditions of service in the Indian Civil Service is that—(*a*) the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—I accept the system, but with the present age-limits, the period of eight years is not suitable. No officer of the Indian Civil Service at the age of 30 should have to hold an inferior appointment, and if the present age-limits are retained, the recruitment should be adjusted so as to secure superior posts for Indian Civilians after a period of five years' service.

33888 (76). Is any difficulty experienced by the Administration in working with the number of superior posts shown in the list for your Province? Do all the posts entered as superior carry a salary of more than Rs. 1,000 *per mensem*, and are they all such as are ordinarily held by officers in the Indian Civil Service? If not, what changes, if any, do you suggest?—In the Central Provinces four appointments of Settlement Officers and one of the Registrar, Co-operative Credit Societies, have been included among the superior posts. In actual practice all these appointments are held by comparatively junior officers who ordinarily do not draw as much as Rs. 1,000, and these five posts should therefore be included among the inferior posts.

33889 (89). Have you any other suggestions to make under this head which are not covered by your answers to the above questions and to the questions under the heads relating to salary, leave and pension?—The main principles underlying the scheme of recruitment are set forth in question (72), and in my answer to that question I have criticised these principles as not being sufficiently liberal. Apart from this I do not challenge the general accuracy of the figures adopted in working out the scheme of recruitment or the suitability of the scheme for securing the attainment of the object aimed at. But I wish to bring specially to the notice of the Public Services

*For these questions please see pages vii-viii of this volume.

Commission the very serious block of promotion that exists at present in the Central Provinces and the way in which, by deviation from the scheme of recruitment, this block has been intensified. The actual position on the 1st January of the present year was that all the officers of 13 years' completed service, four in number, were drawing less than Rs. 1,000, while out of 22 officers of more than 8 and less than 14 years' service only 4 were receiving salaries exceeding this figure. Even in July last year—the height of the leave season when officiating promotion is at its best—there were 4 men, or including those on leave, 10 men, of over 8 years' service whose salaries were less than Rs. 1,000. Going higher in the ranks of the Commission, two officers with over 18 years' service have been recently reverted to their substantive posts of 3rd class Deputy Commissioners, with a salary of only Rs. 1,500. According to the scale laid down by the Government of India for the officers of the Political Department, an officer of this length of service should expect to receive in the Provinces emoluments amounting to Rs. 2,250, while according to the scale of assumed pay in Article 754 of the Civil Service Regulations, he should expect to receive Rs. 2,000. The block is aggravated by a grading which, compared with that existing in other provinces, is extremely unfavourable. There are three main directions in which, by deviation from the approved scheme of recruitment, this block has been intensified, *viz.*, (*i*) the assumption of a list of superior posts containing posts which ought not to be classed as superior at all [*Vide* my answer to question (76)]. (*ii*) Over-recruitment. (*iii*) The recent and sudden curtailment of this list of superior posts by the "listing" of these posts. As regards over-recruitment, the main cause of the block is the defective recruitment in the eighties and the consequent necessity of very rapid recruitment later on. But to see how the present scientific scheme of recruitment has been worked, it was approved, though not formally brought into force till 1900, in 1896, and that date may therefore be taken as a starting point in contrasting the actual with the theoretically correct figures of recruitment. Towards the end of 1903 Berar was joined to the Central Provinces, and from that date recruitment has been normal, though subsequently rendered abnormal as will be shown later. But from 1896—1903 recruitment was excessive. The actual number recruited during these 8 years was 36, which does not include 2 Civilians brought in from other Provinces and still in the Central Provinces Commission. During these 8 years the sanctioned strength of the Commission remained constant at 73 and the correct recruitment at 4·31 per cent., which was then adopted as the scientific rate, would have been 3·15 men a year. This would have resulted in a total of 25 men, while the actual recruitment exceeded this by 44 per cent. The reason for this was that the sanctioned strength of the Commission was considerably above the actual strength, which at the beginning of the period was as low as 62, rising gradually to 72 at the end. Such discrepancies between actual and sanctioned strength were duly foreseen when the scheme of recruitment was framed, but the maximum permissible deviation from the normal rate or recruitment in any one year was 30 per cent. (*vide* paragraph 14, Home Department Despatch, No. 10, dated the 10th February 1898). Even this 30 per cent. addition would have permitted the recruitment of only 4 men yearly to the Central Provinces—a serious matter in itself if repeated year after year—but the actual recruitment was 4½. Turning to the curtailment of the number of superior posts, last year the number of superior posts ordinarily reserved for members of the Commission was suddenly reduced by 4. Three Berar posts were "listed" and the number of posts under the Government of India allotted to the Central Provinces was also reduced by one. The sanctioned strength of the Commission, which had risen to 107, was thus reduced by a stroke of the pen to 99, and junior officers were deprived of all hope of 8 posts to fill which they had been recruited and in which they may be said to have a vested interest. Recruitment since 1903 has been normal, but this sudden reduction in the number of superior posts has made it excessive. The reduction has also affected more senior officers, and if it be urged in reply that since their recruitment other superior posts have been added to the cadre, the rejoinder is that they themselves were over-recruited in the ten years 1893—1903. The result is that the Commission contains a large excess of officers in the lower ranks. The actual strength of officers available to fill superior posts is 107 as against the sanctioned strength of 99. There are really only 46 superior posts, as follows:—

Normal number	51
Deduct—listed posts	−6
Add—Government of India posts . .	+4
Add—4 per cent. for deputation . . .	+2
Deduct—4 posts of Settlement Officers and 1 of Registrar, Co-operative Credit Societies .	−5
Total ...	46

Under the present scheme the strength of the Commission should be 194·5 per cent. of the superior posts or 89 men. We actually have 107 or 61 in the lower ranks instead of 43. The position calls urgently for redress.

33890 (92). Are the present rates of pay and grading suitable. If not, what alterations do you recommend?—My answer relates also to *questions (93) to (95) and (99). The grading of the Covenanted Service in the Central Provinces is notoriously indefensible and the pay of the Central Provinces Commission is still regulated by a scale inferior to that in other provinces. This disparity is all the more marked owing to the absence of any prizes to which officers in other provinces may aspire. It is a matter of common knowledge that within the last 20 years the general cost of living

*For these questions please see pages ix-x of this volume.

has risen very greatly. Within that period the prospects of other Departments of the Public Service have all been materially improved and it seems only equitable that the salaries of the Covenanted Service should be revised also. I think the most satisfactory method of improving the present position would be by the introduction of a time-scale of pay similar to that recently approved for the Political Department. Such a scale should include all those appointments of which the emoluments are less than Rs. 2,500, and should not prejudice the local, personal and deputation allowances at present in force. There should be only one class of Commissioners with a salary of Rs. 35,000 *per annum* so as to bring their pay into line with that of officers holding similar appointments in other provinces. Exchange compensation may be abolished but an amount equal to the loss should be included in the substantive pay.

33891 (115). Do any of the present leave rules press hardly in any way on officers of the Indian Civil Service themselves and, if so, in what respects? What is, in your opinion, the appropriate remedy?—I select this question relating to leave as being a general one to which a general answer will be suitable. I understand that most of the present rigid restrictions now imposed in the leave rules are to be abolished. This is desirable, but the main line on which the rules require revision is in the direction of allowing shorter leave at more frequent intervals and, subject to a reasonable limit, on full pay. The existing rules were framed under very different conditions and they are now defective in three main respects—(*a*) they allow officers to defer taking leave when they require it and to accumulate it so as to be able to take periods of leave for longer than is either necessary or in the interests of the service. (*b*) They do not offer sufficient inducements to take leave often enough to keep an officer at his best physical and mental level. (*c*) They make no provision for compelling officers to take an annual holiday from work. The object of the leave rules should be to secure a scheme which will be of benefit both to the Service and to the officers concerned. It can hardly be argued that it is in the best interests of the public service for an officer to absent himself from duty for two years, in the course of which he must necessarily lose touch with the conditions of his work in India. Still less can it be to the interests of either the service or himself for an officer to go on sticking to duty for several years together, being, if not actually sick, necessarily stale at his work. But this is a very ordinary feature under the present system, for the simple reason that, even by combining privilege leave, an officer cannot afford to take leave of which the greater portion is on half pay, unless and until he has scraped together some savings, an attainment of ever increasing difficulty and requiring more and more time to achieve. As regards privilege leave, the power to combine it with furlough is at the best only a make-shift remedy for what was recognised as a serious grievance, and is opposed to what was undoubtedly the original intention of the leave, which I take to be to permit an annual holiday in the country without any idea of its enabling a man by accumulating it, to run home for a few weeks. I believe such an annual holiday is necessary to the proper health and efficiency of officers, and I should like to see the accumulation of privilege leave forbidden and every officer compelled to take his month's holiday every year. This proposal will probably be unpopular and, though its unpopularity would not necessarily constitute a strong argument against it, I think it requires some compensating alteration in the long leave rules, which I would propose on the following lines. On an average every officer wants about eight months' leave every fourth year. The present rules allow a little more, but, while I think they allow an unnecessary amount of leave, the present allowances do not enable an officer to avail himself of it. If he were allowed his leave on full pay up to a certain limit, there can be no doubt that he would invariably take it as soon as he could get it. I propose that furlough on full pay up to a limit of Rs. 2,000 *per mensem* should be earned at the rate of one month on every six months' active service, the yearly one month's privilege leave to count as active service for this purpose, making a total of 3 years 7 months furlough earned in a total service of 25 years. Thus every officer after $3\frac{1}{2}$ years' active service, during the first three years of which he would get one month's privilege leave each year, would be entitled to 7 months' leave on full pay, when he could go home and have a thorough change. This leave would, of course, have to be taken at such a time as might be convenient to the interests of the Public Service: an officer would not be allowed to claim to take his leave at any particular time convenient to himself, but would have to take it when he could get it and would even be liable to be sent on leave when he did not want to go, if he had leave due to him and if it was convenient to the Public Service that he should go. It would be necessary to spread the leave absence more or less evenly over the whole year so as to avoid having too many officers absent at one time and too few at another. It would also be necessary to prohibit the accumulation of this leave for more than, say, a maximum of 5 years. It would also be necessary to provide for medical leave and leave on urgent private affairs, the latter leave being restricted to 6 months, and leave in either case being on half pay only. The total leave on full pay up to the limit of Rs. 2,000 to be enjoyed by an officer in 25 years' service would be 3 years and 7 months and in 30 years' service 4 years and 3 months. I do not think this can be called an unreasonable amount of leave, nor on the other hand, should there ordinarily be any necessity for more. Under this scheme the number of officers absent on leave at any one

time would be reduced and the present reserve of 20 per cent. for leave vacancies could be correspondingly reduced, probably by about 6 per cent. The scheme may cost more, but it will secure for the Public Service the maximum efficiency of its officers, while avoiding the long absences of as much as two years which are now permissible. To the officers it should ensure sufficient opportunities of relaxation and change of climate, with sufficient means at their disposal to take advantage of them.

33892 (118). Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—My answer refers also to *question (122). I do not consider the present system of equal annuities to all members of the Indian Civil Service entirely satisfactory. I think a man who is good enough to rise to a post of Head of a Province should after five years' office get an increased pension of £1,500. Also that officers of over 25 years' service, who have for five years held posts of the rank of Commissioners or over, should get a pension of £1,200. In each case any such officers retired on medical grounds within the five years' term should be given an increase proportionate to their period of office.

33893 (119). Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—No, I would not approve of any system of pension varying in amount with the amounts of salaries drawn at retirement, for this might work very unfairly. But I am in favour of the abolition of the 4 per cent. contribution. The pension should be non-contributory and might, as such, be reduced, and I would still levy 4 per cent. extra as a compulsory contribution, not to the pension, but to a Provident Fund which would form an addition to the pension.

33894 (125). Do you consider the existing pension rules suitable in the interest both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?—As regards retirement, I consider that after 25 years, further service should be at the option not of the officer concerned but of Government. There is no hardship in retiring a man who has earned his pension, and in retaining an officer for further service Government should have regard only to his efficiency in the post he holds, combined with his capacity for future promotion, should any such chance come his way. For example, supposing a man at 25 years' service was still only a Deputy Commissioner, he might be an efficient Deputy Commissioner, but I would not retain him only on that ground. There are heaps of men capable of being efficient Deputy Commissioners and I would only retain the man who was fit for promotion to a Commissioner or other superior post. I do not believe this would militate against the attractions of the service, but on the contrary would be in its best interests.

33895 (135). Have you any other proposals to make in regard to the conditions of pension not covered by your answers to the above question?—I consider that the subscription to the Family Pension Fund should cease on retirement, and unless the furlough pay is increased, it might with advantage be suspended, to be recovered on return to duty, during furlough.

* For this question please see page xi of this volume.

MR. R. C. H. MOSS-KING called and examined.

33896. (*Chairman.*) You are Financial Secretary to the Central Provinces Administration?—I am Secretary in the Finance Department.

33897. You would like to see some system of nomination introduced into the open competitive examination in England?—Yes.

33898. Your main reason for introducing this system would be to ensure that those candidates who were admitted to the Indian Civil Service should have had a public-school education first?—Not necessarily.

33899. You lay very great stress upon that point, do you not?—I think the school training is an important part; and of school training, I should prefer the public-school training. I did not mean to imply in any way that it should necessarily be preliminary.

33900. You do not mean to imply that it is a necessity that a young Civilian should have been to a public school?—No.

33901. Do you think that there might be difficulties in introducing such a system as you suggest, having regard to public opinion in England?—I do not see why there should be. The work of the Nomination Board would not be a matter of selecting desirable candidates so much as rejecting the possibly few undesirable ones.

33902. You think that a Board could be devised which would satisfactorily discover disqualifications in a young man when he presented himself before them?—I think the very fact of the Board being constituted at all would probably prevent a certain number of candidates appearing.

33903. Have you thought out what the character of the Board should be?—As I have said in my answer to question (6), the Board should consist of at least half men who have served in India; the other half should be men of public position at home, preferably with administrative knowledge. I think that such a Board would be able, on certificates and school records, to say, generally speaking, whether a man was a desirable candidate or not.

33904. The Board, however composed, would, in the main, have to depend upon the records

and certificates which were placed before them?—In the main the system is somewhat of the same kind as is now in vogue in the Navy, though at an earlier age, of course. The Navy candidates have to go up before a Board of Admirals, as I understand, and those gentlemen must go on certificates, and probably they would be private school certificates at that age.

33905. You have no objections to Indians in the Service provided they come in by the main door on their merits, and have a British training?—Yes.

33906. You think that if a special door is opened to them, and to them alone, some reservation would be needed. Could you tell us a little more specifically, in the first place, what you think constitutes a "British tone" for an Indian candidate?—I think he ought to go to a school in England; that is to say, he ought to start at home at about the age of fourteen.

33907. Do you think that Indian parents as a rule will be willing to part with their children at that age?—No, perhaps not.

33908. So you see serious difficulties in the way of carrying out such a proposal?—I admit the difficulties; but if the Service is to retain its British character (unless, of course, you simply put a restriction on the number of Indians to be admitted), I do not see how you are to maintain it.

33909. Would you consider that a candidate had had a British training if he went to England at the age of 17 or 18, and had a full University career, and took his degree?—I should prefer the school training.

33910. The point I put to you is whether you think he would have had a British training if he had passed at a University the time which is necessary to take a full University course?—That would be four years. Yes, I would take the course at the University.

33911. You object both to a simultaneous examination and to a second examination for a limited number of Indians?—Yes.

33912. I gather that you do not fully approve either of promotion from the Provincial Civil Service up to superior posts?—It is what I call the side door; but I have not proposed altering it.

33913. Am I to infer that you do not think that the training in the Provincial Civil Service adequately qualifies an Indian for service in the higher posts?—Not of itself.

33914. What do you mean by "not of itself?"—It depends upon the officer. It gives him an excellent chance.

33915. Is your experience confined to this Province, or have you served in other Provinces?—I was in the Political Department.

33916. So that as regards your personal experience of Indians serving in higher posts, I suppose it is mainly confined to this Province?—I have had practically none in the higher posts. We have got very few.

33917. When you say: "I have not myself been so fortunate as to know a single member of that Service whom I should be able to recommend as fit to fill efficiently the post of a Deputy Commissioner," you do not speak for any other Service than that of this Province?—What I meant by "knowing" was, working with him. I should not know a man unless I had worked with him.

33918. The value of your opinion is affected by the fact that you have not been brought into contact with many such Indians?—I mean that I have not worked with any man in the Provincial Civil Service myself in this Province whom I should be able to recommend for that post, after having worked with him.

33919. At the same time, you suggest that, if any further admissions of Indians are to be made to higher posts they should be made by means of increases in the listed posts?—Yes.

33920. Assuming that an examination were to be established in this country for a limited number of Indians, of the same standard as the examination in England and with a condition imposed that those Indians who were successful would have to go through a training in England at a University, would you still say that promotion through the Provincial Civil Service to listed posts was a preferable way of offering further admission to Indians?—Could such successful candidates put in four years at home?

33921. You make it conditional that it must be four years?—I should doubt two years being long enough. It would not be a full University course, and never would be.

33922. Assuming it was three years, what would be your reply?—It all depends upon how much training at home you call "British training." That is my only point. If that could be worked, it would approach more to what I have suggested.

33923. You have laid stress on the importance of the maintenance of efficiency in the Public Service. Would you admit that efficiency in these days is, to a certain extent, dependent upon the political conditions of the country, and that the political conditions of the country have to be taken into account?—Taken into account, certainly; but I am not quite clear as to what you mean as to efficiency depending upon them.

33924. I will put it in another way. Do you consider that the demand for increased facilities and opportunities for Indians to-day is one which requires serious consideration?—Certainly.

33925. You suggest, I think, that the age limits should be reduced from 20—24 to 18—20?—Yes.

33926. Would that make it more difficult for Indians to pass through the open examination in London?—That I cannot say. I think it is really a question which only an Education Officer could answer. I am afraid I do not know how that would affect it.

33927. If it were made clear that it was to the interests of European efficiency in the Service

that the age should be decreased and if this raised a further obstacle in the way of Indians passing by the open examination in London, would that be a reason for considering other facilities for them?—Yes.

33928. You suggest, by way of getting over some of your Service difficulties, that members of the Service recruited at the present age-limits should be brought into superior posts after five instead of eight years' service. To secure this, would it not be necessary to reduce the inferior cadre posts from 39 to 16·7 per cent. of the superior posts and to have the leave and training reserve correspondingly reduced also? Have you thought out that point?—No, I have not. It has been brought to my notice since. My only point was that at about the age of 30 (which would at the present ages of entrance mean about 5 to 6 years' service) a man ought ordinarily to draw the pay of superior posts, and that efforts should be made, if necessary, to alter the recruitment to secure that.

33929. You admit on closer examination that the reduction of this eight years' period would necessitate a reduction in the cadre?—Yes.

33930. The work in this Province would not justify such a reduction, would it?—I do not think it could be reduced.

33931. If the age limit were reduced as you suggest, and the eight years' period were maintained the same, that in itself would ease the situation, would it not?—Yes, at once.

33932. I do not think I need examine you on your Service proposals because they are very clearly and very concisely put forward, and we are grateful to you for them. I think they coincide largely with the proposals made by your Government. But I see you suggest one point which is different. You lay great stress upon the importance of an officer taking leave every year?—Yes, I think it would be an advantage.

33933. I can understand the advantages of it, and I need not discuss that; but do you think it could be carried out in practice?—Yes, it is only short leave; it is only a month.

33934. For instance, are there places in this Province where an officer could go and really enjoy rest and recuperation and a change of climate within a month?—I think I should recommend his going for leave to another Province.

33935. But do you think he could do it within a month?—Yes.

33936. But what about the very difficult question of expense?—If an officer is married and has a family he would have to move the whole of his establishment, would he not?—The real object is to get him away from his office table.

33937. The real object is no doubt to get him away from his office table, but the question is whether this can be carried out in practice?—If you are going to insist upon an actual change of scene, it might be; but the real advantage of it is to insist upon his leaving his office table.

33938. If it were practicable, you think it would be to the advantage of the officer, and certainly to the advantage of the Service?—I think it would be to the advantage of both.

33939. (*Sir Murray Hammick.*) As regards this question of one month's leave every year, it has been suggested to us by one or two officers in other places. Your idea seems to be that the Deputy Commissioner, for instance, would derive considerable benefit by taking a month's leave and staying in his station?—Or going out in his district: it does not matter.

33940. Shooting?—Yes.

33941. This leave would have to be given, I suppose, as the Government finds it convenient to give it?—Yes, entirely.

33942. So that a man might find himself working all through the hot season desiring a month's leave very much, and the Government might say to him the following December, "Now you had better take your month's leave and go away." That would not quite fit in with what the officer desired, would it?—No, not entirely.

33943. And it would not be doing him the same good as taking leave when he feels run down?—He would have a holiday sufficiently often to prevent him being run down.

33944. Do you suppose an officer who is serving in a lonely district and in not a very good climate would derive any benefit by taking a month's leave every year and remaining in the district?—I think that would depend largely upon the district. I am not insisting that he should remain in the district at all.

33945. Supposing he had to go away and get a change which would do him any good—if he was down at Chanda, where could he get a change that would do him any good?—He could run up to Batoul.

33946. How would he occupy himself at Batoul if he was not very fond of shikar?—He would not go to Batoul in that case.

33947. I can quite understand your shikari would accept the position, and it would probably be very convenient to him to get a month's shooting every year; but every Civilian is not a shikari and he might want to get away to rest his mind and body. What would he do in the Central Provinces?—It would depend upon what his pursuit and interests are.

33948. Supposing his interest is reading, or any other hobby which he could not pursue in the jungles, where would he go in the Central Provinces to get it?—He might possibly desire a pursuit that he could not attend to in the Central Provinces.

33949. Do you not think your proposals are made chiefly having in your view an officer who is a shikari and nothing else?—No, I do not think that was in my mind at all.

33950. Take the District Officer who finds his leisure in meeting his friends and associating with them, where could he get that in the Central Provinces in the hot weather?—He might not be able to get it in the hot weather; but he would not always have his leave in the hot weather.

33951. Supposing he got it in the cold weather, where would he go for a month, it is only a month you are talking of. Where would he go for his month?—In the cold weather it is quite impossible to go anywhere.

33952. He would not find much change in coming into headquarters at Nagpur for a months; it is not quite the sort of change that would do

his mind much good?—He would be entirely relieved of work. That is my point.

33953. Do you not think that a man benefits a great deal more by getting right away from his own district and to a new set of associations than he does by going to a hill station in his own Province for a short period?—He benefits very much more by a complete change.

33954. Do you not think that a man taking a month's leave, and not getting away from his associations, is not likely to derive much benefit from the month's leave?—I would not go as far as that.

33955. Unless he can spend it, as you say, shooting. I quite admit that a man who shoots gets a complete change. But if he does not shoot where is he going to get the association and the fresh intercourse he wants, after working alone for a whole year? Where is he going to get it in a place like the Central Provinces?—I think he would have to wait for his furlough for that; meanwhile, he would get his month.

33956. His month would not do him much good. Do you think it would?—I think he would come back fresher to his work.

33957. I quite admit that. Another point is, how would you arrange for doing his work in his absence?—For a short period that could always be done.

33958. Does it not often happen that a man goes away for a month's leave and comes back and finds that owing to the necessity of filling up his post by a person who is not able to assume all his work, the work has accumulated in his absence, and that there is practically a month's work in arrears which he has to make up by working extra hard when he comes back?—I do not think that that would apply under present conditions.

33959. Do you think that many officers in the Central Provinces go away for two years' furlough?—Not many; but it is permissible under the rule.

33960. It is permissible; but surely very few do?—Not many.

33961. Do you think that officers would be satisfied by getting in their whole twenty-five years' service, three years and seven months' leave?—I think they would be more than satisfied with the terms I have given.

33962. You have not worked out the cost of this scheme of yours, have you?—No.

33963. With regard to your answer to question (119), you suggest that the pension given be non-contributory, and as such, might be reduced. Do you not think from your recollections and your knowledge before you came out to this country, that the fact that the Civilian gets £1,000 a year is one of the greatest attractions which attracts him in the open competition in England?—Yes, I think it was. I do not think it was understood that a great deal was not contributed by Government.

33964. Do you not think any reduction in the £1,000 pension would tend very much to reduce the popularity of the Service among young men who come up for the Service in England?—It would be very quickly understood if it did mean a real reduction.

33965. You would sooner see that contribution stopped, and a reduction of pension, provided the contribution was made into a Provident Fund?—Yes.

33966. You would like to see compulsory retirement, at the option of Government, of every officer after 25 years' service?—Yes.

33967. Do you not think that that would give a feeling of insecurity in the Service which would not be altogether beneficial to the working of the Service?—I do not think so; not if one's full pension had been earned.

33968. You would not like to see a Commissioner given the right to order a man to retire after 25 years' service—the matter would have to be referred to the Secretary of State?—I think that would be unnecessary. I would have no objection to a reference to the Government of India.

33969. Do you think that before a man had served 25 years the Government ought to have the right to get rid of him if they thought he was a bad bargain?—That is a very difficult question.

33970. Supposing a man is found after he has served through his ten years' service as an Assistant Commissioner and the Government tried him a couple of years as Deputy, and found him hopelessly inefficient and that he could not run his District, do you not think that Government might have the right to get rid of him on a minor pension?—It would be a cheaper way for the Government.

33971. You would like to see such a system introduced?—It would be very good from the Government point of view.

33972. In that case you would like to see it done by the Secretary of State, and by no officer lower than the Secretary of State?—I think so. It should go to the Secretary of State.

33973. If it was protected in that way you would not object to seeing your scheme introduced?—No.

33974. (*Mr. Fisher.*) Why do you say that the popularity of the Service has declined?—Because of the conditions that have been obtaining for the last few years.

33975. What conditions have you specially in mind?—Pay, largely.

33976. Do you think that really has had an effect upon recruitment in England?—I think it is bound to have.

33977. Your argument is really a deductive argument. You are deducing unpopularity from the fact that the pay is unsatisfactory. Have you any actual evidence that the Service has become more unpopular?—I have certainly heard a great many retired Civilians who have been very successful in their way tell me personally that they were not recommending the Service to their sons.

33978. On the ground of pay?—No, not necessarily on that ground.

33979. Any other ground?—The general conditions of the Service.

33980. Could you specify more clearly the respects in which the Service seems to you to have deteriorated?—No, I prefer not to.

33981. I am not quite certain as to the consistency of your main position. I gather that you would prefer to see the Indian members of the Civil Service recruited through the English door?—Yes.

33982. And if a sufficient number were recruited through the English door you would be quite content to see the side door through the Provincial Service closed?—Yes.

33983. On the other hand, you are recommending that the open competitive examination shall be held at the school-leaving age in England?—Yes.

33984. Will not that inevitably have the effect of reducing the number of Indian candidates who come through the English door?—That I cannot say. I have already said that I do not know what effect that would have in reducing the age. I was only thinking, really, of recruitment from England. If it had a bad effect on the recruitment from India, I have already, I think, given the answer that that is a case for compensatory facilities being afforded in another direction.

33985. In your own mind you would attach primary importance to reducing the age in England in order to obtain a better British element?—Yes.

33986. Do you think that if the side door were completely closed it would be satisfactory to the Provincial Civil Service?—No; that would be a disadvantage. At present it is a very useful attraction to the Provincial Service.

33987. Is it your idea to have a fixed, or rather a sliding scale of proportion between the numbers recruited through the Provincial Service and the numbers recruited through the open door in London? Supposing that you decide that you will have, say, ten Indians admitted into the Service in one year, is it your proposal that if six of those are admitted through the London door, four will only be admitted through the Provincial door?—I propose a limit as long as the special conditions for Indians are kept, of 20 per cent.—one-fifth.

33988. Therefore the more who pass into the Service through the London door, the fewer will pass into the Service through the Provincial door?—Yes, I think so. But you must have the Provincial door.

33989. (*Sir Theodore Morison.*) In reply to question (7), I notice that among your objections to simultaneous examination you mention in general terms that you think there would be a strong objection in India itself. Have you any facts to go upon? Is this the result of experience which you can definitely put before us?—They are the result of views personally mentioned to me.

33990. Has anything come before your notice, or Government's notice, officially,—petitions, for instance?—Not that I know of; no petitions.

33991. Anything which you could in any way describe as an official application to Government?—No.

33992. It is merely upon the strength of private conversation?—Private conversation; and officially to the extent, for instance, that I have had applications. As a matter of fact, I think I have hardly ever entertained a transfer of cases from an Indian to a European Court.

33993. You have had applications for transfer from an Indian to a European Judge?—Magistrate.

33994. Those are the only examples you can remember in your own official experience?—Officially there are applications.

33995. I want to go back to the answer you gave Mr. Fisher about the growing unpopularity of the Service. Have you ever had an illustration of it among your personal acquaintances as, for instance, an Indian Civilian declining to enter his son for the Service, supposing his son was likely to pass?—Yes, I have.

33996. You have known cases?—Yes.

33997. In which a Civilian deliberately chose for his son another profession?—The latest instance I am thinking of is quite a recent one. He had not chosen it because the boy was still under the age. He told me he was not going to stand in the boy's way if he made up his mind to try for the Service, but that he was not in any way going to recommend it.

33998. You have said, in answer to question (10) that you would like to see Indians coming in by the open door: that is your position?—Yes.

33999. The numbers who have so far succeeded in coming through is very small, is it not?—Yes.

34000. Would you support the proposal which has been put before us of assisting to promote a greater number of Indians coming in, as, for instance, by giving scholarships?—Yes; I should be inclined to support that, subject, if possible, to training being given at home.

34001. That would be a proposal which you would be prepared to support?—Yes.

34002. You are aware, I dare say, that there are a certain number of what are called Government Scholarships of £200, which must be spent at Oxford or Cambridge?—Yes.

34003. And the holders of quite a considerable number have already succeeded in getting into the Indian Civil Service?—Yes.

34004. It has been suggested that that number might be very considerably increased, that it should be fifteen a year instead of, as now, two a year. That is one suggestion which has been made. We might differ as to the number, but is that a sort of proposal which you would like to support?—Yes, that is the kind of proposal I should be prepared to support.

34005. In answer to question (13) you say that the Civil Service supplies a specially valuable element on the Bench which it would be unwise to eliminate. Do I understand that from the use of those words "special element" you think there ought to be other elements as well?—I am speaking of the Bench as it exists now, generally.

34006. The proposal has been urged upon us in very many centres that a certain number of legal practitioners in this country should be appointed to the Bench. I do not know from your answer there whether you intend to support, or to oppose, that?—All I meant to say was that it is merely an impression, because I have not myself had any experience of the Judicial Department at all. What I meant was that I thought the Civilian Judges were as necessary as a minimum proportion in the Judicial line as in the Administrative line.

34007. In answer to question (115), referring to the terms of service, you say: "Under this scheme the number of officers absent on leave at any one time would be reduced and the present reserve of 20 per cent. for leave vacancies could be correspondingly reduced, probably to about 6 per cent." I do not know how you arrive at that conclusion. Do you know?—I am afraid I do not. As a matter of fact, it is being worked out.

34008. (*Mr. Chaubal.*) With regard to that point as to the unpopularity of the Service, do you find that the number of candidates competing for the examination has been less than in the years you have been speaking of?—I cannot tell you. I do not know what the numbers are.

34009. The numbers of those appearing at the competitive examination do not seem to have been lessened latterly, do they?—Perhaps not. I do not remember.

34010. Have the University authorities at home ever made complaints that the Service is getting less attractive, and that they therefore find fewer numbers coming in?—Not that I know of.

34011. Is it the feeling of gentlemen in the Service now that a fewer number of the sons of older Civilians are coming in now than used to be the case at one time? Looking at the Civil List the other day I found that there are several young men who are the sons of retired Civilians. Is it the feeling that a fewer number of the sons of some families are now coming out than used formerly to be the case?—I can only speak for myself. I do not know whether there is any feeling in the Service. I merely happen to have come across two or three instances amongst personal friends. That is all.

34012. At the same time you have found amongst persons who have come out, say within the last eight or ten years, that some were sons of Civil Servants?—Yes.

34013. Amongst the questions which you have not answered there is one upon which I should like to get your opinion. Would you like the old Statutory Service revived?—I have not answered that question.

34014. I put this question to you on account of the opinion which you have given in answer to other questions. I ask you, would you like to see the old Statutory Service revived?—Personally I have not had any experience. I have never served under or with a Statutory officer at all.

34015. The Statutory Service was mainly recruited by nomination by Government, and in the last Public Service Commission there was almost a universal body of opinion, as there has been now in the present enquiry, that that system was a failure?—So I understand, but I have not had any experience of it.

34016. I ask these questions because you lay down a sort of general proposal that any system of open competitive examination for Indians cannot be sound. I want to have your opinion as to whether you have in practice found any regular system of selection and nomination successful in this country; or, on the other hand, whether you have found for the Provincial or any other Service, that recruitment by open competition proved a failure as compared with nomination?—But there has not been any recruitment by open competition.

34017. But we have had evidence in other Provinces that the Provincial Service was recruited by open competition?—It is not the case in these Provinces.

34018. You have no experience of any Service of Indians being recruited by open competition?—No.

34019. May I know upon what facts you go when you say that as far as Indians are concerned a system of competitive examination is not suitable; or is it merely a theoretical opinion?—It is a theoretical opinion.

34020. Then I understand from the next sentence that you consider that if there is an open competitive examination all castes might come in?—I suppose so.

34021. You say: "I have already mentioned that caste is of paramount importance. The competitive examination would exclude caste from consideration altogether." May I know how you reconcile that sentence with another of your opinions when you say, "This is another reason why a system of open competitive examination would not be suitable," namely that if there was open competitive examination a large preponderance of one class or community would not come in. In one place you say that the system of open competition is to be condemned because it would bring in any class, and in another place you say that the system of simultaneous examination is to be condemned because it will bring in a preponderance of one class?—I say "If it is found." I do not say: "If it was necessarily found." I say: "If it is found that it results in the admission of a large preponderance of any one class or community it will not be regarded as satisfactory by Indians themselves."

34022. Supposing there were simultaneous examinations, would you expect that the Service would be swamped by men of one class or community, or that men of different classes and communities would come in?—To start with probably there would be a large majority of one or two classes.

(Adjourned for a short time.)

34023. (*Mr. Chaubal.*) Further down in that same answer you are dealing with the dilemma out of which you say no satisfactory way exists. Do you or do you not think that there is a type of Indian now rising who is free from all caste prejudices?—Absolutely so, but my point is that the people will not believe it.

34024. That is no doubt true, but I suppose that as education filters downwards it will be appreciated in time?—In a long time.

34025. If the individual himself is absolutely free from any prejudice or any class bias, then I suppose it may be expected that with the progress of education this wrong belief of the people might die down?—It will take a very long time.

34026. But it is not impossible?—I do not think it is impossible.

34027. With regard to these transfer petitions that you speak of, did you get them as District Magistrate or as District and Sessions Judge?—I got them as District Magistrate,

34028. Is it your recollection that these petitions were made on the ground that the trying Magistrate belonged to the caste of the opposite side?—No.

34029. May I know the sort of ground on which these transfer petitions were made?—The transfer was generally asked for simply because they wanted a European Magistrate.

34030. Were these petitions readily granted?—No.

34031. Does not that fact tend to diminish the number of petitions?—I do not know whether it would tend to diminish them; I did not have many.

34032. I suppose you will agree that if you can get recruitment to the Judicial Service from persons having both a good training in Law and experience of Indian life, they would constitute a preferable material from which to recruit the Judicial Service?—I would rather not say more than I have about the question. I do not think I need have answered that question. It is purely a personal impression, and I have no experience of the Judicial Department.

34033. Have you ever served as District and Sessions Judge?—No.

34034. (*Mr. Macdonald.*) With reference to the long answer you have given to question (115), does not your proposal with regard to furlough and leave come to this, that for every twelve months a man passes in India he can have three months' holiday?—Yes, in total.

34035. Nine months' work for twelve months' nominal service?—He would not be allowed to take it in that way.

34036. No, but that is what it comes to?—It works out like that.

34037. Do you not think that is rather liberal?—I think we want some more liberality.

34038. As regards leave?—It is not liberal as regards the total furlough, I think, three years and seven months out of twenty-five years. That month's holiday in the year might make it liberal.

34039. How much of the three months on the average would be on full pay according to your system?—Up to the limit of Rs. 2,000.

34040. It would be all pay up to that limit?—All of it.

34041. Full pay?—Yes.

34042. So that, to repeat what I have already said, it would be nine months' work for twelve months' pay?—Yes, that is what it would work out to.

34043. Now with reference to your month's leave every year, do you know the practice of business firms?—I cannot say that I do.

34044. Do you know that business firms in some cases practically compel their European staff to take a month's leave every year?—I have heard that they compel them to take leave, but I did not know anything about the month.

34045. Have you heard that some firms, for instance the firm the representative of which gave us evidence in Bombay, if they find their European officers want to go to Ceylon to spend a holiday, give them a month's leave to enable them to do it every year?—I did not know that.

34046. The difficulties that have been put to you about the man who wants to read finding it difficult to get a place to read—are not those difficulties of the same kind we have at home?—I should think so, very much; but of course there is considerable difference in India on account of the different circumstances.

34047. But supposing it became a habit that the Government servants went away on a month's leave every year, would not that mean that facilities for the spending of the holiday would grow up?—Possibly. You mean the demand would create the supply?

34048. Yes, the demand for facilities would enable you to think a little bit more about it than apparently you have thought about it, and also give openings to people who can supply your demand and make a little money out of it?—Possibly, but I am doubtful about the Central Provinces.

34049. If this were adopted would there be anything that would compel a Central Provinces man to stay in the Central Provinces?—Nothing at all.

34050. If a Central Provinces man wanted to go to Ceylon, and could afford to do so, could not he go to Ceylon within a month?—Yes.

34051. And have a nice golfing holiday?—Yes.

34052. A gossiping holiday?—Yes.

34053. And a reading holiday?—Yes.

34054. Just as he likes?—Yes.

34055. You lay considerable stress upon the British character of the administration, and your view is that, in so far as that character is going to be shared by Indians, the Indian must go home for at least four years' education?—Yes.

34056. Have you had very much experience of Indians who have gone home for their education?—No, personally I have not had much experience.

34057. Have you had much experience of the development of educational facilities in India, the movements in University education?—No, I have not. We have no University in the Central Provinces.

34058. Are you aware of the efforts that are being made by your Education Department and by educationalists in India generally to improve the character and training given in Indian Colleges and in Indian Universities?—I know that efforts are being made; that is what their work is.

34059. Have you taken that into account in expressing on paper certain opinions you have put down?—My opinions as far as Universities are concerned have been simply obtained from educational officers.

34060. You have discussed the possibilities of training the Indian in Western ways with Indian educational officers?—I cannot say I have discussed it in that precise method, but what I have learned from educational officers is that at present the education the University can afford in India is nothing like equal to that which can be obtained at home.

34061. Have you gone into the difficulties that an Indian experiences when he goes home in coming in contact with what is really best in the British character?—I am afraid I have not.

34062. Have you enquired into the allegation that is constantly being made that Indians in

England segregate themselves and are far more liable to come under evil influences in England than they are at home?—I have had no opportunity.

34063. Have you heard that within the last five or six, not more than ten at the outside, years, a great change for the worse has taken place in our Universities so far as the Indian students are concerned?—I have heard something about it.

34064. If we were to find, when we go home this coming summer, that those changes have actually taken place, and that the Indian student instead of being made welcome is not made welcome, to put it very mildly, would you still consider that that kind of experience in England inculcated Western habits of thought and Western sympathies in his mind?—I am afraid I know too little about it to be able to say.

34065. But still you have expressed very definitely the opinion that in order that the Indian may be taught Western ways he ought to go to England for four years?—I do not see how else he may learn.

34066. And these things are very germane to that opinion, are they not?—Yes, distinctly.

34067. You lay down, I am not quite sure with what definiteness, in the answer you gave to the Chairman's question, two conditions that ought to be fulfilled by the Englishman who aspires to become a member of the Indian Civil Service. First of all you consider it is desirable that he should attend a Public School, and secondly, that he should be polished at the University?—No, I did not lay down anything about the polish at the University.

34068. That is true regarding Indians?—You are talking about the probationary period after passing?

34069. I am taking both, first of all the training before he enters the open competition and then after he has become a possible member of the Indian Civil Service by being successful at the competition. Those are the two blocks of training, the one characterised by the Public School, and the second characterised by the University?—Yes; but I have said that on the whole the probationary period I would prefer out here.

34070. One year in England?—If it is in England I prefer two, as you will see from my answer to question (43).

34071. You say there: "I should prefer two years to one, to be spent at a residential University, and in a residential College." So that you do want the University?—If my recommendations are not accepted then we must have a probationary period.

34072. In that case you prefer two years of a probationary period to be spent at a residential University and in a residential College, by which I understand you mean in a residential college of that University?—Yes.

34073. So that I am right: public school, supplemented by University?—If the present system is to be maintained.

34074. I came across a very interesting expression of opinion in an educational Review and I will ask you if you agree with it. It is with reference to that kind of training which is given for the Indian Civil Service. It says that the Civil Service Commissioners and the University Syndicates and other similar bodies recommend these things, the Public School and the University, because they consist "of men who have themselves gone through a similar grind and who have been quite safe from the touch of the fire of modernism in their studies; they are all men from the older Universities and stand up for mediæval ideas." You do not share that view?—Is your question whether I stand up for mediæval ideas?

34075. No. I understand that you yourself have been at a Public School and University, and probably you, like myself, prefer the kind of education we have gone through, I not being a public school boy and not having been to a University?—That is probably true.

34076. So far as I have been able to study the evidence and examine the witnesses up to now, my impression is that those distinctions count really for very little in the production of qualities wanted by the Indian Civil Service. Now, my point is this. There is a statement made by educationalists that as a matter of fact the position a man takes in choosing or rejecting two different modes of training depends altogether upon what he himself has gone through?—Possibly.

34077. Do not imagine for a moment that I meant to say you stood up for mediæval ideas. That was simply in the extract and I should like you to be quite happy about that. Now, how would you define a public school?—Of course what I mean by a public school is essentially to start with a boarding school.

34078. A place like Gordon College, Aberdeen, would not be a public school under your definition?—No, it is a day school.

34079. The Edinburgh High School would not be a public school under your definition?—No.

34080. Under your definition none of the great Academies of Scotland would be a public school?—I do not know about their being public schools. What I meant, when I was speaking of a public school, was that it is not a public school if it is not a boarding school.

34081. If the preference which you indicate in the answers to your question was carried out by the Secretary of State and the Civil Service Commissioners and the Board that you suggest, the training of those schools would be ruled out as a qualification?—That is not at all necessary.

34082. But in accordance with your answers. You say, for instance, in answer to question (1), that up to now we have been able to discard the shortcomings of competitive examinations, the very obvious shortcomings you say, that it does not test certain things, and then you go on to say that this has been more or less the case because we have drawn our recruits mainly from the big English public schools, and in your opinion no better material can be obtained. If you held these views, and if you were placed in a responsible position as a member of this Commission, in drawing up your report would you not insist on those views being embodied in the report as a recommendation to the Secretary of State, if you hold them in the definite way in which you have expressed them there?—I should

certainly say that that course of education is the best qualified that I can think of to give you the kind of candidate you want.

34083. I will not press you further on that. As a matter of fact, you say that we have drawn our recruits mainly from the big English public schools : did you go through a Civil List before you made that statement ?—No.

34084. Would you be surprised to hear that some of us who came across that statement did try to get the educational source from which the members of the Indian Civil Service have been mainly drawn, and found that they did not mainly come from English public schools ?—Yes, I should.

34085. You would be surprised ?—Yes.

34086. But you did not take the trouble to sit down and consider whether your impression was accurate or inaccurate and tick off the men in the Civil List ?—No, I did not do that.

34087. You are in favour of a reduction of the age for the open competitive examination ?—Yes.

34088. But you say that the fact of board schools becoming more efficient than they have been would be to turn out a class, which, on the whole, is not quite so desirable as the class from which you have come, into the Indian Civil Service. Would not the fact of reducing the age be to give the boy who has been educated in a board school, and passed on through the new system of higher education to the secondary schools which are now being established all over England, a better chance than he now has for the Indian Civil Service examination ?—I cannot say.

34089. Do you know the recent developments of English education in that direction owing to the County Councils and the Town Councils having become the education authorities ?—No.

34090. You do not know that the old board school has now become an organic part of a much finer education system than was in existence when you were in England ?—I realise there has been an enormous advance in education.

34091. And an advance in the direction of establishing secondary schools which from the point of view of education are better than the old public schools ?—I had not realised that.

34092. Then you say that it is very valuable there should be a caste, that we should remember the Indians like caste government. I think that is the effect of your sentence : " I will mention here that to an Indian caste is of supreme importance, and while we in England do not define caste in the same sense as in India, we understand what it means." I understand that you mean caste does exist in England in the shape of class ?—Yes.

34093. And you think it is a good thing there should be a certain amount of class in the selection of the men who come out here to join the Indian Civil Service ?—I think it is a good thing.

34094. That men like myself, for instance, who come from no class, should be absolutely barred from service in the Indian Civil Service ?—Is that a question I am expected to answer ?

34095. Let me put it this way: that a man whose father was a working-man and who could not by any stretch of imagination claim to have a class connection, should find care was taken to make it impossible for him to join the Indian Civil Service ?—Not at all.

34096. So that you really do not mean there should be class distinctions in the selection of men for the Indian Civil Service ?—I merely say that I think a certain amount of class is desirable, but it is not what I would select a man on.

34097. I thought you meant to do so from your answer ?—No.

34098. (*Mr. Sly.*) I understand the object of your first proposal in regard to the introduction of some system of nomination in the Indian Civil Service is to exclude a certain number of men who gain entrance at the present time, on the ground that they are what is ordinarily termed " undesirables " ?—Yes.

34099. Can you tell us from your own experience whether that percentage is very small or large ?—At present I should say it is very small.

34100. Do you think that any system of selection, such as you have suggested, would result in the undoubted exclusion of that very small percentage of " undesirables"?—I do not see why it should not.

34101. Do you not think it would also possibly have excluded a certain number of members from the Service who have proved themselves in practice to be fully qualified for the Indian Civil Service in India ?—I should doubt it.

34102. Do you not think the object you desire to achieve could be equally well, if not better, met by a system of compulsory retirement of the unfit after they have been tested by practical experience in India ?—Yes, but it would be very much harder luck on the men.

34103. It might be very much harder luck on the men, but surely it would be a very much more accurate test of the suitability of the men ?—It would be undoubtedly a more accurate test but it would tell very much harder on the men to whom it was applied.

34104. But if a man enters the Service knowing this risk, and if also there is a scheme introduced for the grant of certain compassionate pensions or gratuities to officers who are compulsorily retired for inefficiency, do you not think that would alleviate the conditions ?—It might, but I do not think it would tend to the popularity of the Service.

34105. Would the popularity of the Service be affected if there were scrupulously fair methods of arriving at a decision as to whether an officer was efficient or inefficient,—if, for instance, it was laid down as a rule that before an officer is compulsorily retired for inefficiency an enquiry should be held, say, by three senior members of his Service ?—I think one wants no guarantee of fair treatment, but the fact that that system is contemplated would in itself make for uncertainty.

34106. Now let us come to the other main position in your evidence. I understand that you are in favour of a further admission of Indians to the Service and are prepared to see them admitted

in the Central Provinces up to a maximum of 20 per cent., or one-fifth ?—Yes.

34107. That you desire, if possible, that those Indians shall gain admission to the Service through open competition in England ?—Yes.

34108. And that in order to encourage that method of recruitment you would be prepared to recommend a system of scholarships for Indian boys to go home and prepare for that examination ?—Yes.

34109. Failing the admission of Indians to the extent you consider reasonable by the method of open competition in England, would you be prepared to have a supplementary method of admission for Indians in India ?—Yes.

34110. What method would you recommend as being most suitable for the admission of Indians in India ?—The present system of listed posts.

34111. An extension of the present system of listed posts ?—Yes.

34112. You consider that if Indians have to be recruited in India it would be preferable to take them after experience of their work in the Provincial Civil Service rather than by any method of direct recruitment in India ?—Not necessarily by experience in the Provincial Civil Service, as long as it is not by competitive examination merely.

34113. But if it were not admission from the Provincial Civil Service to listed posts you would recommend a system of direct recruitment by nomination ?—Yes, direct nominations.

34114. There is a small point I do not understand in your evidence. In answer to question (76) you have referred to the fact that junior officers have been deprived of all hope of eight posts, and you have mentioned four of them, three Berar listed posts and one post reduced for officers serving under the Government of India. Surely so far as the one post has been reduced under the Government of India that leaves the Commission in a better position than it was before ?—It takes away a post.

34115. Does it take away a post ? The Government of India appointments are recruited by selection from the Provinces ; there is no guarantee that they will take four or five from the Central Provinces, and in so far as recruitment is made on a basis of four instead of a basis of five it is a direct benefit to the Service ?—The superior posts include the Government of India post.

34116. Only as a basis of recruitment, and if you reduce the Government of India posts you are reducing the number of superior posts against which you are recruiting. Therefore you reduce the number of officers recruited ?—You ought to reduce the number of officers below the superior posts.

34117. But you do not reduce the chance of employment under the Government of India, so that you are better off in the Central Provinces by that reduction of one ?—I do not see that you are better off with the officers who have been recruited against it, the junior officers. I admit it probably does not make any difference as to the actual number of posts held.

34118. It makes no difference to the number of officers employed by the Government of India ?—No.

34119. And on the other hand it reduces the number of officers recruited in the Central Provinces ?—They have been recruited against it.

34120. And they have still got it whether there are four or five ?—They may or may not have.

34121. There has been no actual reduction in the number of Government of India posts ?—No, but there has been a reduction in the number of superior posts against which the recruitment has been effected.

34122. With regard to the three Berar listed posts, we have already obtained certain views through Mr. Hullah, but what are the other four posts you refer to ?—There are not another four. The strength of the Commission is practically double the superior posts, 194·5 per cent. If you reduce four superior posts you strengthen the Commission by eight. You have eight officers whom you have recruited against no posts.

34123. If your statement is correct in regard to the reduction of the four inferior posts, it necessarily involves in future a reduction of practically four inferior posts, does it not ?—Eight.

34124. Four inferior, making a total of eight ?—It is practically double the superior posts. 194·5 is the actual figure.

34125. (*Mr. Madge.*) So far as you have been able to judge, you fear that Indian officials, whatever their other good qualities may be, have not been efficient District Officers, or Deputy Commissioners as you call them ?—All I have said is that so far as my experience has gone, and I have only based my experience on my own knowledge of the Provincial Service, I have not myself been so fortunate as to work with any of that Service whom I could have recommended for the post of a Deputy Commissioner.

34126. Nevertheless, you say in answer to question (7): "The way in which all members of the Provincial Service with whom I have had the pleasure of serving have carried out the duties entrusted to them, the loyal support they have invariably accorded to myself, command, and have always obtained, my warm admiration." It would be an unfair inference from anything you have said that you desire to exclude Indians from any office for which they may prove their competence ?—I think it would.

34127. You are anxious to preserve the British tone in the administration ?—Yes.

34128. Would it not affect some of the opinions you have formed if you put it in this way, that as compared, say, with Frenchmen, Germans, Dutchmen, and other European races, the British seem to possess certain practical qualities that make them better Colonists and better managers of Settlements and Colonies than other races, even Europeans. Do you hold that view ?—I have not particularly thought about it.

34129. I invite your attention to it from this point of view. It is not a question of one race being superior or inferior to another, but it is with reference to the special character of the work to be done, in which one race may manage to secure

better results than another. Judging from the history of French and other Colonies they do not appear to have succeeded as well as British Colonies, and for that reason I ask you whether you do or do not think that as regards the management of Settlements and Dependencies Englishmen generally seem to succeed better than other races?—Yes, so far as I can judge. Without further consideration I should say, yes.

34130. Do you think it is possible for any one race to inherit the practical qualities of another without anything of their heredity or environment?—No; I should be inclined to doubt it.

34131. Would you be in favour of limiting recruitment for the Indian Civil Service to the Provincial Civil Service, on the ground that that Service affords means of judging the character and efficiency of the officers in it? Would you select that as a better way than mere competitive examination or any other way of recruitment? In the Provincial Civil Service you have the test of actual work as compared with the leap in the dark which you take with the competitive examination?—That is so.

34132. You mention that Indian gentlemen have come to you for advice and have admitted that they have no control over their sons. As far as you know, do they attribute that to the system of education that has alienated them from their own moral sanctions?—I think they attribute it to both home and school education. They themselves, in three or four cases I can remember, have blamed themselves for their home treatment of their sons, and have further gone on to say that the school treatment was not effective.

34133. I think you said you were not an educational expert, but judging by the effects of education of Indian Universities do you or do you not think that it may be greatly improved by the education being more practical and directed to subjects that would make men choose other careers than that of public employment?—I think it is quite possible, but I do not feel at all competent to give an opinion.

34134. Your attention has been called to the weight that ought to be attached, on political grounds, to the claims of the educated classes. Have you considered the weight that ought to attach, on political grounds, to the interests of the great voiceless masses who are represented nowhere? I do not want to bring out any hostility between the two, but to compare them as one fairly may. On the one hand, we have the millions of uneducated, voiceless masses, whose interests the Government are bound to consider, and, on the other, we have a comparatively small class of educated men, claiming, and rightly claiming, advancement in their own country. Do the interests of these great masses and the educated classes all run in the same direction?—No, I do not think they do altogether.

34135. Is it conceivable or not that a responsible Government may attach quite as much importance, if not more importance, to the claims of millions of people than to those of the small class, no matter how important they may be?—Certainly. It must of course consider both claims.

34136. Do you think that taking away a young Indian from his home at an early age and sending him to London involves any kind of risk with regard to his character and conduct?—I do not think it need involve any risk at school. The difficulty probably will be with regard to arrangements during the holidays.

34137. Have you heard what Indians have told us, that in the majority of cases—I think one witness said in the actual majority of cases—the results of sending boys home to school at an early age proved disastrous?—I suppose every system must make mistakes.

34138. It is not a mistake but the risk to which I wish to call your attention. When you spoke of the desirability of a certain class interest in the Service, do you mean that the advantages of the classes at home give them better opportunities of developing character, or at least have done so in times past?—No. All I meant was that so far as my experience goes the Indian appreciates it.

34139. But would you exclude any man of any class or caste, at home or anywhere else, from any appointment for which his character and education fits him?—No, I would not.

34140. You say at the end of your answer to question (10) that it will be extremely difficult for an Indian of one class or community to gain and successfully exercise such influence over Indians of other classes or communities, and this necessarily imposes a very definite limitation on what may be his own intrinsic efficiency and capacity. Do you think that the British official, as possessing a certain detachment from local influences, has an enormous advantage in this country?—I think he has.

34141. Have you come across domiciled Europeans or Anglo-Indians in the public Service or any other Services who have done comparatively well?—In the Provincial Civil Service.

34142. They have done well there?—Yes, quite well.

34143. As well as others?—Quite.

34144. (*Mr. Standen.*) Can you tell me whether the reduction of the number of posts in the Government of India against which the Central Provinces Commission is recruited was made in consequence of any actual reduction of posts, or was it merely a *pro formâ* reduction, or due to distribution of posts in a different way between Provinces?—I am afraid I could not tell you that.

34145. Supposing there was an actual reduction then there are fewer posts open to the Commission than there were formerly, but if there was no actual reduction the Commission suffers no loss. Supposing the number of posts in the Government of India is now just the same as it was?—Actually held or nominally.

34146. If the actual number of posts available in the Government of India is now the same as it was before the posts were reduced from five to four, then the Commission here is in a better position than it was before it was reduced?—Yes, after the recruitment has been altered.

34147. Even before it is altered, if the number of posts available is the same?—It cannot be in a better position.

34148. In the same position?—Provided it is a post actually held.

34149. If there has been a reduction in the number of posts we are in a worse position than we were?—Yes.

34150. (*Chairman.*) Let me clear up this matter. Formerly you recruited against five posts?—Yes.

34151. And the Government of India reduced this to four?—Yes.

34152. Were five Government of India posts occupied during those years by officers from this Province?—That I could not tell you: it is a question of fact which I do not know.

34153. I take it your point of complaint is that there has been a reduction from five to four within the last year or two?—Yes, last year.

34154. And with that of course has come a corresponding reduction in your cadre?—Yes.

34155. (*Mr. Mahdi Hasan.*) Have you ever held such a post as to enable you to judge of the work of Deputy Commissioners?—No, I have not.

34156. Have you ever held a post that would enable you to know the work of an Indian Provincial Service Deputy Commissioner?—No. Nobody but a Commissioner could know that.

34157. Do you know that a Statutory Civilian who is treated as a member of the Provincial Civil Service for the purpose of these listed posts has been a Commissioner here for a considerable period of time, and that Mr. Rustomji, another non-civilian member of the Commission, has been Commissioner of Berar for quite a long time and is now Commissioner of Excise and Inspector-General of Registration?—Yes.

34158. (*Mr. Thakur.*) With regard to your answer to question (7), in which you say that the Provincial Civil Service men do their work well and earn your warm admiration, may I know if that means that they discharge their duties extremely well?—Yes, certainly.

34159. But you would not recommend them for a Deputy Commissionership? Do you not base such a recommendation on the way in which they have discharged all their duties?—Yes, partly.

34160. If they had discharged their duties well would they not be fit for a Deputy Commissionership?—It does not necessarily follow.

34161. On what would you base your recommendation of members of the Provincial Civil Service for the posts of Deputy Commissioner?—I am in no position to recommend. It is simply a matter of the qualification. The performance of the duties of an Assistant Commissioner and the performance of the duties of a Deputy Commissioner efficiently are two different things.

34162. If they are not to be selected by competitive examination, and if their discharging the duties entrusted to them as Provincial Service officers in a way which earns your warm admiration, and leads you to consider their work extremely satisfactory, does not qualify them for the post of a Deputy Commissioner, I should like to know what would?—Their capacity for being over Assistant Commissioners instead of being mere Assistant Commissioners themselves.

34163. How can that capacity be judged unless they are put in that position?—I think it can be very generally gauged.

34164. Have you come across an instance in which a Provincial Civil Service man placed in these higher posts has proved a failure?—It would not be for me to say so in any case. It is the Commissioner's business to consider that.

34165. In the same answer you base your opinion that the examination in London is not a serious obstacle to Indians on the fact that several Indians go to England to enter the legal and medical professions, do you not?—Certainly.

34166. I suppose for the Bar examination there is no age-limit?—I do not know.

34167. And also there is no competition for the Bar examination; anybody if he passes the examination is a member of the Bar?—Yes, it is a qualifying examination.

34168. And if he fails and is persevering there is no limit to his appearing for the examination until he succeeds?—I suppose so.

34169. In the Medical Service examination the age-limit is much higher than that for the Indian Civil Service—twenty-eight?—That I do not know.

34170. Do you know that the conditions of competition there are not so hard as in the Indian Civil Service?—No.

34171. Is there any analogy between the two cases of those who go in for the Indian Civil Service and those who go in for the Medical and Bar examinations?—The mere going cannot be such a very serious obstacle, that is all.

34172. That is true, but they go with an object. If the object is not to be attained in one case, and there is no difficulty in attaining it in the other, people would go for that which they could attain. Is it not the case that if an Indian goes and fails twice for the Indian Civil Service examination he has no more chance and must come back?—He would not have more than two chances for the Indian Civil Service examination.

34173. For the Bar and Medical examinations if he does not pass at the first effort he can appear until he succeeds?—I think so.

34174. If he fails in the medical competition he can still come out and practise in this country if he is competent?—Yes.

34175. Can he do the same thing if he fails in the Indian Civil Service examination?—Why should he not come back to the Indian Bar?

34176. That will take him another three years if he has failed for the Civil Service?—The great obstacle I always understood was the expense.

34177. But is it not likely that people will incur expense if they know some useful purpose will be served, while here, there is the risk of the whole thing being lost?—They are trying for a very much more valuable Service.

34178. If they get through, but otherwise not?—It is worth the extra risk I suppose.

(Adjourned till Monday at 10-30 A.M.)

(The witness withdrew.)

At Nagpur.

Monday, 17th March 1913.

THIRTY-THIRD DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.
Sir MURRAY HAMMICK, K.C.S.I., C.I.E.
Sir THEODORE MORISON, K.C.I.E.
MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.
WALTER CULLEY MADGE, Esq., C.I.E.
FRANK GEORGE SLY, Esq., C.S.I.
HERBERT ALBERT LAURENS FISHER, Esq.
JAMES RAMSAY MACDONALD, Esq., M.P.

And the following Assistant Commissioners:—

BERTRAM PRIOR STANDEN, Esq., C.I.E., I.C.S., Officiating Commissioner, Berar.
RAO BAHADUR KASINATH KESHAB THAKUR, I.S.O., District and Sessions Judge, West Berar Division.
MAHDI HASAN, Esq., I.S.O., Extra Assistant Commissioner, Jubbulpore.

M. S. D. BUTLER, Esq., C.V.O., C.I.E. (*Joint Secretary*).

HENRY JOHN STANYON, Esq., C.I.E., Barrister-at-Law, Additional Judicial Commissioner.

Written answers relating to the Indian Civil Service.

34179 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—This is a difficult question to answer, because there is no real standard available by which the results of the present system can be measured, and ideals are not sufficiently fixed to be reliable. Destructive criticism is easy but useless; constructive criticism must be largely conjectural. It cannot be said that any other system would have proved more satisfactory under the same circumstances. Having regard to the general progress of India during the last 50 years, even after allowance is made for the effects of other forces which have been at work during that period in bringing about that advancement, I should say that the achievements of the Indian Civil Service have been brilliant. If that estimate is correct, it seems safe to conclude that the principle of recruitment for that Service cannot have been wrong, and that no case for its discontinuance is apparent. Nevertheless, I am of opinion that there is room for improvement.

34180 (2). In what respects, if any, do you find the present system, faulty in detail, and what alterations would you suggest?—In my opinion the main essentials of success in the administrative work which forms the chief duty of the Indian Civil Service are (*i*) character, (*ii*) physique, (*iii*) education, and (*iv*) experience. The last of these must necessarily come after recruitment: but the other three should be the aim of the recruiting agency for the said service. The present system is defective in that it leaves the first, and most important, of these essentials to chance, and very imperfectly secures the second. It is in the main responsible only for educational efficiency, with the result that many clever men come out in the Indian Civil Service, who fail as administrators for want of the necessary character or physique, or both. These individual failures are, not unnaturally, debited against the Service as a whole in the account books of public opinion.

34181 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—It is not equally suitable, and, in my opinion, it would be an error in principle to try and make it so. While India remains a Dependency of England she must be governed from England.

34182 (4). Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?—I do not think any differentiation is desirable in the matter of recruitment to the Indian Civil Service, while it remains the model of British administration in this country—except as stated in answer to question (19).

34183 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I think it would now be preferable to keep recruitment for the Indian Civil Service in a water-tight compartment of its own, chiefly because, under present-day circumstances, the members of that Service require qualifications, preparation, and tests which are more or less special and peculiar to the conditions of their work in this country.

34184 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the

following principles:—(*a*) Selection by headmasters of schools approved or otherwise; (*b*) selection by authorities in Universities approved or otherwise; (*c*) nomination by headmasters or University authorities and selection under the orders of the Secretary of State; (*d*) combined nomination and examination; and (*e*) any other method?—I do not think that selection or nomination can be relied on, except as preliminaries to competitive examination. Each of those methods is liable to be diverted and upset by numerous influences and conflicting interests, and is always open to accusations, even though unjust, of nepotism. Both methods might, however, be usefully employed in the admission of candidates for the competitive examination by which recruits for the Service are eventually to be enrolled.

34185 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—Simultaneous examinations in England and India of the open competitive kind, for admission to a single cadre, would, in my humble opinion, sound the death-knell of efficient administration in this country. The number of marks gained at a competitive examination is not, by itself, a sure guide even to the educational qualifications of an examinee, though it may be the best available; it is absolutely no guarantee of his fitness to fill a post in the Indian Civil Service. Having regard to the comparative areas of the English and Indian recruiting fields, the result of such examinations would be to flood the Service with Indians, and that would entirely destroy its British character. Such consequences could only be prevented by introducing restrictions which would make the scheme farcical and abortive. Simultaneous examinations of the kind referred to in the question under reply are beyond the range of practical politics. The share in the administration to which Indians are reasonably entitled can be much better obtained otherwise. Personally I am against any mixture of European and Indian in the cadre of the Indian Civil Service.

34186 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—I am not. The examination should take place, as now, in London, and nowhere else.

34187 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I am entirely against any such method of recruitment for the Indian Civil Service, using that term as referring to the leading unit in the British administration of India.

34188 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system all classes and communities should be represented? If so, how would you give effect to this principle?—I adhere to the principle advocated in my answer to question (3). All members of this particular unit of the Service should come through the same recruiting depôt. Any other method will result in a miscellaneous collection of officers, among whom unity, *esprit de corps*, and true mutuality will be impossible.

34189 (13). Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system that you would propose?—In replying to this question I will refer to all posts below that of a District Judge as "subordinate," and to District Judgeships and higher posts as "superior." In my opinion, except a few posts of Subordinate Judges reserved for members of the Indian Civil Service and of the Imperial Service propounded in answer (42), the whole subordinate judiciary, up to and including Additional District Judges, should ordinarily be filled by members of the Provincial Civil Service. The reserved Sub-Judgeships, the number of which in each province should be fixed with reference to the District Judgeships—to be allotted to the Indian Civil and Imperial Services in that province—should be filled by members of these Services who have been specially prepared for judicial work. A certain proportion—the measure of which must depend on the circumstances of each province—of the superior posts would be occupied by members of the Indian Civil Service who had qualified for them by Service as Sub-Judges. Another proportion should be reserved for members of the Imperial Service recommended in my answers to questions (28) and (42), who had similarly qualified. Some of the posts so reserved for the two leading Services should be listed for deserving members of the Provincial Services in the way described in my reply to question (24). The remainder of the superior posts might with advantage be recruited from the Bar: provided that every member of the Bar seeking employment as a District Judge should enrol himself as a candidate therefor in the High Court of the Province in which he ordinarily practises, and, by the fact of such enrolment, should become subject to special regulations for his supervision and control by that Court; and he should not be appointed to a judicial office unless and until he has been recommended by the High Court. It should be a standing rule that no lawyer who has adopted a political career, or taken an active part in politics, shall be eligible for elevation to the Bench.

34190 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or

of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—I am not. The term "Native" has been found objectionable by Indians; it is still more so to the domiciled European and Eurasian. I think that the terms "Indian," "Eurasian," and "Anglo-Indian" might be used to denote the three classes of persons now covered by the legislative definition "Native of India." Definitions should be framed with regard to accuracy rather than mere sentiment.

34191 (15). If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—From 18 to 20 years, followed by 3 years of probation, whereof Europeans should spend 1 in England and 2 in India; and Anglo-Indians, Eurasians, and Indians (if any) should spend 2 in England and 1 in India.

34192 (17). What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—I think they fully maintain the average of administrative efficiency. Such unfavourable comparison of them with their predecessors as has been made is, I think, unjust. I suggest the following as some of the reasons to which this erroneous disparagement is due:—(*i*) The circumstance that men acquire distinction more easily in an unsettled country, such as the Indian civilian of the past had to deal with, than in the more settled conditions of the present-day India. The civilian of 50 years ago administered with plenary powers under conditions of unavoidable decentralisation from above, to a subdued mass of mostly uneducated Indians who scarcely dared to criticise him, and who for the most part sought to win his favour by fulsome flattery and unconditional submission. The civilian of to-day works under conditions of centralisation which leave him little scope for initiative and lessen his sense of responsibility, while his smallest enterprises are subject to criticism, invariably adverse, and frequently perverse and malicious, by an ever-increasing body of highly educated Indians and a hostile vernacular press. This constitutes a serious obstacle between him and the still uneducated masses whose destinies are entrusted to him. These widely different conditions of work mislead our judgment in comparing the two sets of workers. Most landscapes which are beautiful under the softening and deceptive glamour of night, fail to secure the same amount of approval under the glare of a noon-day sun; but no wise man would throw the blame for that difference upon the landscape itself. (*ii*) It is a common error to disparage the present for the benefit of the past. Sentiment surrounds bygone administrators with a halo of heroism, and this often misleads judgment as to their real value. (*iii*) False opinions regarding the present-day men and their work are constantly being engendered by the voices and pens of ex-civilians who are unable to realize the possibility of the Service getting on without them. (*iv*) Owing to the spread of education, the members of the Service are now recruited from a more extended range of class strata than was the case 50 years ago, with the result that a certain number of men get in who do not possess the hereditary or social qualifications demanded by the Service as a whole; and, owing to the common error of generalising from particular cases, the whole Service is disparaged because of the unsuitability of a few of its members. In my opinion there is no justification for the view that the European and Indian recruits of the present day, taken as a whole, are less suitable for the Indian Civil Service than their European and Indian predecessors respectively, so far at least as administrative efficiency is concerned.

34193 (18). What is the most suitable age at which junior civilians should arrive in India?—About 21 years.

34194 (19). What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India" and for other natural-born subjects of His Majesty?—I would extend the age-limit by two years in the cases of Anglo-Indians and Eurasians to allow of a longer training in England before they appear at the competitive examination. I am not in favour of opening this Service to Indians at all. They are placed at a great disadvantage by its conditions, and it is impossible for them to acquire all the qualifications which are necessary for it, in particular its prime essential of British character.

34195 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—I think the 1855 principle has served its time. I would now amend the syllabus with special reference to the requirements of service in India.

34196 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons.—Absolutely none. All recruits should be melted down in the same pot, and cast in one mould, Indians being entirely excluded.

34197 (23). Do you consider it necessary that certain posts should be reserved by Statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c.

54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54), and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.] ?—I think it is indispensable. The proportion should be regulated according to the circumstances of each Province, but should nowhere be less than 80 per cent. on the executive and less than 50 per cent. on the judicial side, the administration of criminal justice being included in the former category.

34198 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service Cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—If any hard-and-fast rule is necessary, I would apportion such posts thus:—85 per cent. to the Indian Civil Service, whereof a certain number should be listed for the benefit of Anglo-Indian and Eurasian members of the Provincial Service. 15 per cent. to the Imperial Service proposed in my answer to question (42), out of which a certain number should be listed for Indian members of the Provincial Service. Deductions for appointments from the Bar and other sources would be made from one or other of these allotments according to the class to which each person so appointed happened to belong. I would however prefer to leave the question of all details in such matters to be regulated by the Local Government of each Province, in accordance with the conditions of that Province.

34199 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54)? Do you recommend any alterations in this system, and, if so, what?—I do not, so far as recruitment by open competitive examination in England is concerned. Indians by birth, if they are to be admitted at all to this particular Cadre, should be required to live continuously in England for at least 6 years before they appear at the competitive examination, in order that they may, as far as is practicable, acquire English characters by such training as is depicted in my answer to question (42).

34200 (28). Do you consider that the old system of appointment of "statutory civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—I am in favour of creating a separate Cadre of Imperial Service, confined to Indians, and recruited in India. For further details please see my reply to question (42). The principles of recruitment to this Service are outside the subject now in hand, and therefore I do not go into them beyond stating that the candidates should not be less qualified than those who now appear for the Indian Civil Service; that they should be imbued with British principles; and should be drawn from the best classes in India.

34201 (29). What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your Province? Please distinguish in your reply between (*a*) military officers, and (*b*) others; and give details of the latter?—Military civilians as a class, and particular individuals among uncovenanted civilians, have done good work in the past. In British India generally the military civilian is no longer necessary. For the administration of unsettled tracts, wherever he has been given a free hand, he has almost invariably proved himself to be one of the best instruments in the hands of the Government of India: and even at the present day, where a civilised district has become unsettled by sedition and anarchy, I believe that a military District Magistrate, invested with plenary powers of final disposal, would be the most successful in effecting its redemption: but such chances do not justify a revival of what is now obsolete as a general system of administration. Nor do I think it is now desirable to have any continuance of what is known as the Uncovenanted Civil Service.

34202 (31). If the system of recruiting military officers in India has been stopped, or has never existed in your Province, would you advise its re-introduction, or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent should it be adopted?—I do not think that present conditions are generally suitable for the employment of military officers as civilians. They could only work with crippled efficiency under the present centralization of authority, the transfer of power and discretion from the camp table of the district officer of the past to the office tables of the provincial secretariat of the present.

34203 (42). Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—The first essential is the preservation of a British character in the administration. That involves a principle as to which there can be no compromise. It is, therefore, indispensable that a Service which is really British should lead the way and stand as a model for all other Services in India. It should not be a guild of autocrats or a congeries of snobs; but just a corps of educated English gentlemen, in the full and true sense of that term, as understood among Englishmen of the best classes. For successful administration, according to British ideals, you want character, education, physique, and experience; and in the leading Service which is to give the required nature and tone to the whole of the Indian administration, all but the last of the above qualifications must be truly British. Therefore every candidate for that Service must have the environment, example, and early training of a home, the healthy influences and shaping of a public school, and the final polish of a recognised University, in the United Kingdom. The defect in the present system is

that the Service is thrown open to every candidate who is able to gain enough marks in a competitive examination and to pass a very mild medical enquiry into his physique. I think that amendment is called for in the direction of narrowing this entrance door, so as to shut out from the examination-room men who are in any way, morally, physically, socially, or racially, unlikely to prove suitable. The conditions stated above cannot be attained by Indians. It involves a cruel hardship upon them to require them to make themselves eligible for high office by entering the Indian Civil Service under present rules. Better men can be recruited and more effectively trained in India for such proportion of the superior posts as Indians can reasonably claim to fill. It must be understood that in recommending the exclusion of Indians from the Indian Civil Service I have written only with reference to recruitment for the cadre of that particular Service. My remarks must not be taken to relate to recruitment for all the superior posts which are ordinarily filled by members of that Service at the present time. The day has gone by when Indians can be shut down to inferior posts. But Indians, for such of the superior posts as can be given to them under the political circumstances of India, can, and should, be members of a distinct Service, having a Cadre of its own, and should not be grafted, as now, on to an essentially European body in which they have no real place or part, and in which they necessarily and undeservedly occupy false positions. I would establish an Indian Imperial Service for Indians who are to hold a proportion of the superior posts in the administration of British India—a Service which, as regards status, pay, and prospects shall stand on a reasonable equality with the Indian Civil Service, and the members whereof can be trusted to adopt, and be made competent to follow, as nearly as possible, in all matters of principle and practice, the pattern carved out for them by their European fellow-administrators. But, except as above, I would keep this Indian Imperial Service as distinct from the Indian Civil Service, as the Indian Army is distinct from its prototype the British Army serving in India. I am unable to understand how an indiscriminate recruitment of Europeans and Indians for the same Civil Cadre can be expected to produce better results than would be obtained by such a recruitment of a single regiment in the Army of India. With no cause of friction due to a conflict of interests and other causes common to service in the same Cadre, harmony between the two races would be advanced; and the two Services would work together with the same mutual regard and unity of purpose as has repeatedly been found to exist between British and Indian regiments on active service, provided the same care were taken in recruitment of the Indian as I have advocated for recruitment of the British branch of the superior service. Any hardship which the closing of the Indian Civil Service to Indians might cause to men who have already proceeded to England to prepare for it, can be obviated by allowing them to carry out their course, and placing in the Indian Cadre those who pass for the Indian Civil Service.

34204 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—The one year's probation in England is insufficient. Men come out most inadequately trained for the performance of their responsible duties.

34205 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—One year for Europeans; two years for Anglo-Indians and Eurasians.

34206 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—All probationers should spend their period of probation, so far as it is spent in England, at an approved University.

34207 (46). If so, do you advise the selection of one or more Universities for this purpose, and for what reasons?—Any University where the probationer can be given theoretical instruction, physical training, and can, from precept and example, acquire the social qualifications—if he has not already got them—which are demanded by the Indian Civil Service.

34208 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—Each probationer should certainly receive an adequate allowance.

34209 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—If the conditions stated in my answer to question (46) cannot be obtained at any of the Universities, I would recommend the establishment of a special institution for the purpose.

34210 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—Yes, the principle is unquestionably sound, and I accept it. This answer applies to all probationers regardless of their antecedents.

34211 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of the system recommended by you?—I would retain the five compulsory subjects of the 1912 course, and require candidates to choose between an executive and a judicial course of training. Then I would add as compulsory the subject required for each of these two branches of the administration. For the executive candidates

I would prescribe the Revenue and Tenancy law of every Province in India, Political Economy and Accounts, the Indian Penal and Criminal Procedure Codes, the Evidence Act, and so much of the Civil Procedure Code as is used in the proceedings of Revenue Officers. For the judicial candidates I would prescribe the Indian Penal and both Procedure Codes, the Evidence Act, the Transfer of Property Act, the Contract Act, the Limitation Act, the Indian Succession Act, and Hindu and Muhammadan Law.

34212 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts?—I do not think that attendance at the English Law Courts and the reporting of cases tried there, are of any practical value to probationers in the Indian Civil Service. The remainder of this question has already been answered.

34213 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—I would train them in both countries, the whole course covering a period of three years—one year for domiciled Europeans, and two years for non-domiciled candidates, in England; and the rest of the time in India.

34214 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian Services recruited in England?—I am strongly in favour of it. I regard it as an urgent necessity.

34215 (55). What is your opinion of a proposal that each provincial Government should arrange for the training of probationers by suitable courses of instruction, for the whole or portions of the first two years of service at some suitable centre?—I think one year at an Imperial institution in a good climate, and the other year at an institution in the province where the probationer is to serve, would be the best arrangement for the European members. The year at the Imperial institution would be dispensed with in the case of those members who had served two years of their probation in England.

34216 (56). In the report of the Treasury Committee appointed to consider the organisation of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district headquarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—Yes, every one of them.

34217 (57). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India" whether in lieu of or supplementary to the system of recruitment in England, please state what system of probation you recommend for such officers?—I have recommended no such scheme for the Indian Civil Service.

34218 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No: three years for each, the only differentiation being as regards the place of probation during the second year.

34219 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—This is essentially a matter for local treatment in each province with reference to the personal qualifications of each member concerned.

34220 (61). Is the existing system of departmental examinations suitable, and if not, what change do you recommend?—It is of very small value. Such examinations should be passed during probation. Once appointments are taken up men should spend their time in applying, and not in acquiring, theoretical instruction.

34221 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—Yes, I think so. This deterioration has followed naturally upon the great increase in the knowledge of English among Indians in general, and the subordinate officials in particular. It is a cause which cannot be checked. The whole administration becomes more English-speaking every year. The remedy lies in more direct communication between the civilian and the vernacular speaking classes. The matter is important, because the loss is not merely academic. Want of familiarity with the mother-tongue of a people stands in the way of acquiring that intimacy with their character and idiosyncrasies which is necessary for their proper government. It may safely be said that during the last 50 years the Indian's knowledge of the Englishman has advanced as much as the Englishman's knowledge of the Indian has receded.

34222 (63). Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and, if so, what changes?—Vernacular languages should be a part of the training given during the 2 years' probation in India recommended in previous answers.

34223 (64). Please give your views as to what steps (if any) are necessary to improve the

proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—I do not think that executive officers need any more law than is now taught to them. For Judicial officers early and systematic training in law is the best course. Visits to Europe on study leave are costly to the State, pleasant to the visitors, and of no practical benefit to either.

34224 (65). Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—I have already outlined the judicial probationer's course of training.

34225 (66). Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch? If so, please give details?—They should work as Sub-Judges for, at least, 5 years before becoming District Judges; and should not be entrusted with appellate powers unless and until they have been recommended by the High Court.

34226 (67). Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?—I do not.

34227 (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals?—None, except in languages.

Written answers relating to the Provincial Civil Service.

34228 (1). Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—I have no alterations to propose.

34229 (2). Please supply a copy of the rules for the recruitment of the Provincial Civil Service in force in your Province. Are these rules suitable, or have you any recommendations to make for their alteration?—They will be found appended to the Central Provinces Civil List, to which I have already referred the Commission.

34230 (3). Please see the statement showing the constitution of the Provincial Civil Service, reproduced as Appendix B, to these questions, and state whether the information is correct for your Province. If not, what alterations are required?—The information is correct.

34231 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—Nomination, succeeded by a competitive examination as a general rule: but the Local Government should have power to make appointments by selection.

34232 (7). To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?—I would only reserve a reasonable proportion of the available posts for residents of the provinces. I think that a wider field of recruitment for the remainder will result in better men being secured.

34233 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable and what arrangements do you recommend to secure this object?—I think that the best available men should be allowed to compete, or be selected by the Local Government, regardless of caste and creed. It is hopeless to satisfy all parties in the matter of representation according to caste and creed in the service of Government; nor is any such representation necessary. The service is not to be run on Hindu or Muhammadan or Buddhist lines, but according to British notions; and therefore efficiency in giving effect to the principles governing the administration should be looked for as the main qualification in candidates for the Provincial Civil Service.

34234 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and if not, what alterations do you recommend?—Men are appointed, and, though actively employed in carrying on the work of Government, remain on probation for an uncertain period, and are required to pass certain departmental examinations. In my opinion this is an unsatisfactory state of things, and coupled with low pay and slow promotion, results in the best men not being attracted to the service. There should be some course of training in a Provincial institution before any appointment is made; and a fixed period of probation in service thereafter.

34235 (10). Is the existing system of Departmental examinations suitable, and if not, what changes do you recommend?—It is of very little use. Such examinations should be passed before a candidate is appointed.

34236 (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—No, I do not think so.

34237 (13). In particular, is the leave reserve adequate, and the system on which it is graded suitable?—I recommend no change.

34238 (16). To what extent is any system of selection for appointments to the higher grades enforced?—Is any change of practice required in

this respect?—Selection for appointment to the higher is not, and should not, be enforced.

34239 (18). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—There is a complete separation of executive from judicial on the civil side, excepting only as regards cases between landlords and tenants. No further separation is desirable.

34240 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—As already recommended, the higher posts should be ordinarily reserved for the Imperial Services, certain proportions, or a certain number in each province, being 'listed' for (*a*) Anglo-Indians and Eurasians, and (*b*) Indians, of the Provincial Services.

34241 (20). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—I am satisfied.

34242 (21). Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?—I am satisfied.

34243 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886—87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I think the principle is suitable, but I do not think it has been fully maintained. The Provincial Civil Service is under-paid, and officers with the desired qualifications are seldom secured.

34244 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—I do not think so. Better pay is necessary.

34245 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—I am not in favour of a time-scale.

34246 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I do not. If an officer is good enough to hold a listed post, he should start on not less than three-fourths of the full pay thereof. If he rises to a higher rank or grade he should get four-fifths; and if he is good enough to reach the highest rank open to him, he should get the full pay. It is not proper, for example, that such posts as that of a Commissioner of a Division, or Additional Judicial Commissioner, should be held on any but the full pay by any officer considered good enough to hold them temporarily or permanently.

34247 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—I do not think there is any undue liberality in the furlough rules of the Provincial Civil Service. I would reduce the first qualifying period from 10 to 8 years, and allow a year for every 6 years of service after that.

34248 (34). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—They should be raised if practicable.

34249 (35). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?—Yes, I think so, except as regards furlough.

34250 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—They should be granted special pensions approximate to those of the Indian Civil Service.

34251 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—I think they are satisfactory.

34252 (46). Are you satisfied with the existing organisation of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—I am not satisfied. I think that a large number of inefficient men are recruited, though there has been some improvement in that respect during recent years. Certain educational qualifications are now ordinarily insisted on for admission to the Judicial Department. But on the Executive side men are still appointed either because they have rendered honest service in the ministerial ranks, or are the sons or other relations of retired or deceased Government servants who served the Administration well, or belong to respectable families, and the like. I do not say that these reasons are not praiseworthy, or that they can be wholly left out of account even now. But they no longer carry the force they did in the past. The Indian polity is greatly advanced and changed, and old customs have to be left behind when it is a case of the survival of the fittest. Some part of the Provincial Service appointments might still be retained in the patronage of the local Government; but for the rest efficiency should be the chief guide in recruitment. Selection, from as large a field as possible, followed by competitive examination, seems to promise the best results, and ought, I think, to be tried.

MR. H. J. STANYON called and examined.

34253. (*Chairman.*) You are an Additional Judicial Commissioner of the Central Provinces and Berar?—I am an Additional Judicial Commissioner of the Central Provinces exercising jurisdiction over Berar.

34254. Can you tell me what has been your previous experience?—With regard to India, I was called to the Bar in 1881; I practised for 16 years at the Indian Bar, till 1897, and from that time up to the present I have been first a Divisional Judge and then an Additional Judicial Commissioner in the Central Provinces. My practice at the Bar was partly in Agra and the rest of it in the Central Provinces.

34255. You are satisfied with the standard of the European recruits of to-day, and consider that in point of efficiency they compare well with their predecessors?—Yes, I think they compare well with their predecessors, but I think that there is room for reform, as I have stated, upon the lines suggested by me. They might be improved or an attempt might be made to improve them.

34256. In so far as recruitment goes, the point of your contention is contained, I take it, in your answer to question (42). You put forward as the first essential the preservation of the British character in the administration?—That is so.

34257. To secure this you propose to recruit only Europeans and Eurasians and Anglo-Indians to the Civil Service, and to compensate Indians by the creation of an Indian Imperial Service to work alongside the Indian Civil Service proper, and on terms of what you call reasonable equality?—Yes. The only word I would like to correct in your Lordship's representation of that is the word "compensate." The proposal I make I think would more than compensate: it would improve the position of the Indian. I think they undergo great disadvantages and suffer great hardship by having to come through the open door in London.

34258. Your proposal is that each race should work, as it were, in water-tight compartments?—So far as the cadre is concerned.

34259. Do you seriously propose to withdraw the present privilege which Indians enjoy of entering the Service through the open competitive examination in London?—Yes, certainly, if that other door is provided for them.

34260. Do you think, taking into consideration the present political situation in India, that your scheme would satisfy Indian aspirations, involving, as it does, the withdrawal of the privilege of entering by the London door?—Yes, I think it would if it were put on lines of what I call reasonable equality. That is to say, the same classes of appointments should be open to the Imperial Service man as are now open to the Indian Civilian and the European member of the Indian Civil Service: but I am not guided only by political considerations; there is a point at which political considerations must give way to what is best for the country. Political aspirations must be guided and controlled by the experts in whose hands lies the administration of the country.

34261. You would admit, I take it, that political considerations form an important aspect of the problem?—Certainly.

34262. You go on to urge, in your answer to question (10), that any other method will result in a miscellaneous collection of officers among whom unity, *esprit de corps* and true mutuality will be impossible: whilst in your answer to question (22) you say that all recruits should be melted down in the same pot and cast in one mould?—Indians being entirely excluded; that also is part of the answer to question (22).

34263. Question (22) is—"Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons?" You reply—"Absolutely none. All recruits should be melted down and cast in one mould, Indians being entirely excluded."—That answer perhaps is not quite straight to the question, but it is an answer given in view of, and in connection with, what I propose to be the reform, and must be read in connection therewith. Perhaps I ought to explain to your Lordship that my answer to question (4) wants slight modification. I have said there: "I do not think any differentiation is desirable in the matter of recruitment to the Indian Civil Service whilst it remains the model of British administration in this country." I would like to add the words: "except as stated in answer to question (19)."

34264. That is where you suggest a higher age-limit for Anglo-Indians and Eurasians so as to anglicise them a little bit more before they come out?—Yes.

34265. What is your objection to the combination of Europeans and Indians in the Indian Civil Service?—Of course some of my reasons raise controversial matters which the Commission might not like to hear, and therefore I will confine myself to generalities. I think that opinion is formed largely from a sympathy that I have for Indians. I think that Indians who are made to imitate Englishmen and come through the open door in London occupy a doubly false position out here. They occupy a false position with their English colleagues and they occupy a still more false position with the orthodoxy that they have left behind in order to put on the style and garb of an alien description.

34266. Do you think that rigid uniformity is good for the administration? Is there not room, and is it not advisable, as far as possible, to have a diversity of types in a country like this?—You get all the diversity of type without any of the friction of cadre: you get the Indian administrator at his best: you get a much wider field of selection; you get a much better class of man: not the accidental man who happens to get through the examination in London and who happens to survive the climate and moral atmosphere of London. You get a much larger class of men doing the same class of work, and you get the same diversity of administration, but if I may use a somewhat slang term they are "on their own bottom" as it were. They have a cadre of their own, a status of their own, and they have a model Service, and certain principles down

which they can very well follow. Far from lowering the efficiency of the administration I believe that such an arrangement would promote it.

34267. The cadre of your Indian Imperial Service would amount to 15 per cent. of the whole cadre?—Yes.

34268. How do you propose to recruit that in India?—That is a matter to be dealt with by people who are far more expert than I can pretend to be, but I would have it more or less on the lines of recruitment at home, that is to say, a certain amount of qualifications required from an Indian before he enters the examination room and a competitive examination to follow.

34269. And this would be a competitive examination for candidates selected from all over India?—Yes.

34270. I should like you to explain a little further what you mean by reasonable equality of pay and status for your new cadre. Do you suggest the rising scale of three-fourths, four-fifths, and finally full pay, laid down by you in your answer to question (30)?—The only difference I should make would be such differences as were considered just for Englishmen who come out to a foreign country, foreign climate, and so forth, as compared with men who are indigenous to the country and work in the same climate. For instance, I would give the Indians no exchange compensation allowance, and things like that. They would be just such differences only as would be reasonable having regard to the fact that one set are working at home and the other set are coming out to a foreign country. I have not gone into any details on that point; it is merely a proposal supported by what seems to me to be a principle, and I have not worked out the details.

34271. The pay would be upon the same standard as that enjoyed by the officers in the Indian Civil Service?—Yes, very nearly, as nearly as possible.

34272. And you really think that the Indian drawn from his cadre and the European drawn from his, although they are doing the same work will work better and more harmoniously, from the fact that they are drawn from two cadres?—I think so.

34273. You favour recruitment from the Bar. Could you tell me to what extent you would press this and to what particular posts you would appoint lawyers?—With regard to extent, I think it is impossible to lay down any proportion which would at all times be either suitable to any particular Province or which it would be wise to lay down, because of the tremendous variation that there is between one time and another in the quality of the supply. With regard to posts, when I say recruitment from the Bar it is not the slightest use having a new fledged member of the Bar. I am not at all in favour, as my answers to the Provincial Civil Service questions go to show, of taking a one or two year Pleader and putting him in as a Judge. Recruitment from the Bar can only be to the higher posts, beginning with the District Judge, when you can get men of sufficient experience recommended by the High Courts under which they have practised for a specified number of years.

34274. And you think that men of that standing and calibre would be prepared to accept positions such as you indicate?—Not always, and that is why it is impossible to lay down any proportion.

34275. But you feel satisfied that there will be a sufficient number of qualified men available to accept such posts?—There will always be some men available; I would not commit myself to what you would call a sufficient number, because I cannot lay down any proportion. For instance, supposing there were twelve appointments for District Judges, and suppose eight were given up to the Indian Civil Service, the remaining four might then be set apart either for the Provincial Civil Service or the Bar. I certainly would not seek to tie down any local administration to this that two must be for the Provincial Civil Service and two must be for the Bar. My main object in making these proposals is based on this principle, that if you want efficiency you must not tie down recruitment into one corner. You must have as wide a field of recruitment as possible, because the Judicial Service wants special qualifications which are not to be found in particular Services, but only in individuals.

34276. That is why you lay special stress on recruitment from various sources, recruitment from the Indian Civil Service, recruitment from the Provincial Civil Service, and recruitment from the Bar?—Yes, that is so.

34277. You favour an arrangement by which young civilians would be selected for a Judicial career early?—Yes, fairly early.

34278. How many years after they had entered the Service would you say?—I should say certainly within two years.

34279. We have had a good deal of evidence pointing to the advantage of a four or five years' preliminary course in the general line?—It is a difficult thing to lay down any hard and fast rule in a matter of that kind. One man might be obviously fit for judicial work almost when you first get to know him, and another might take time to develop that fitness, but I do not think that more than two years is necessary for anyone in order to be able to ascertain for himself, or to be discovered by those who supervise his work, that the Judicial Department is his particular line. I think early training in legal principles is important.

34280. You would get them into training as Subordinate Judges as soon as possible?—Yes.

34281. To prepare them for the higher posts?—Yes.

34282. You do not consider that study leave for a year is necessary?—No, I do not think so.

34283. Would you encourage officers to study law during furlough?—I do not think so.

34284. You think that the training they will get in the subordinate positions will fully fit them to be Judges?—Two years on the Executive side, rambling about among people in camp, getting to know the people as much as possible, and six years as a Subordinate Judge.

34285. You favour the proposal for establishing a college for the training of probationers in India?—Yes.

34286. Would probationers come to that college under your scheme immediately after they had passed the examination in England?—After their one year's or two years' probation in England.

34287. You would give them a year or two years' probation in England first?—According to whether they are Europeans or Anglo-Indians.

34288. Then they would have a year in this central institution?—A year in the central institution, yes.

34289. Would this institution be a central one for India or would you have one attached to each Province?—No, a central one for India and a separate one for each Province. I propose the central for India to be placed in some good climate so as to acclimatise the officers.

34290. What is the object of both?—Because in the first place a man learns general Law and gets gradually used to the climate of the country. Instead of being at once brought, say, from Scotland into 120 degrees in the shade at Nagpur, he has a little time at Bangalore or Simla, or some place like that; it gives him a chance of his health not breaking down. Many people break down owing to their having to begin work in climates such as that of Bengal, for instance.

34291. You mean them to come to this central institution, and when they have completed their training there, to go to their Province and be further trained there?—To learn Provincial law and customs and dialects as much as possible.

34292. Would not that prolong rather excessively the probationary period?—Yes, three years' probation altogether. It is on account of this that I recommend lowering the age-limit.

34293. The establishment of the central institution and these local institutions in each Province would be an expensive operation, would it not?—I quite admit that. I have thought of efficiency rather than finance.

34294. Do you think you would get your full reward in efficiency to compensate you for the very large expenditure?—I think so, efficiency in this way that one thing would be avoided which, although not a scandal, is not a thing which should exist, and that is an officer learning his work at the expense of the public. He is given cases to try and trusted with the liberties and properties of people before he knows what to do with them, before he has passed the Departmental Examination. He learns at the expense of the public, and I do not think that is right.

34295. I am thinking more of that period when the young civilian is placed under the general supervision of a superior officer. During that period he is being trained in the life and habits and customs of the people. Do not you think that on the whole he will acquire more useful knowledge by such a life out in the country under a senior officer than he would by being placed at that age under all the discipline of a central institution?—I think he might if the strength of the senior staff was increased so that his supervising officer would have more time to give to him than just a passing word now and then, which is all he gets. I have had complaints from very junior officers, not of the Civil Service but certainly of the Provincial Civil Service, that fault has been found with them after having worked two or three years, and they were never fore-warned, simply because their superiors have had no time to attend to them, having their own work to look after.

34296. More attention could be paid to a probationer if a stronger staff were granted for the purpose of controlling and training him?—I am very far from saying there are not many alternatives, but I am now merely comparing the present conditions.

34297. I am merely probing this matter of an institution, because many other witnesses have advocated it, and I wanted to hear what your views were with regard to some of the objections which have been raised?—My views are very largely theoretical, because I am not a member of the Indian Civil Service myself.

34298. Another objection which is raised to it is that the young civilian will already have gone through his examination in England and his probationary course of two years?—And his Departmental examinations too.

34299. Yes, and he will have to come out here at the age of twenty-one?—Yes.

34300. Then you will impose upon him an additional year under all the discipline of another institution?—Yes.

34301. It has been pointed out to us, and I should like to hear your view upon it, that there might be a risk of rather tiring out the young civilian with too much supervision?—I think if I were going to work in a country foreign to myself, whatever home training I might have had, I should be very thankful and grateful for a training in that country and amongst its surroundings before I had any responsibility put upon me.

34302. But that is not the point. I am asking you whether, taking it broadly, the training that the young civilian gets under a senior officer in the country, is not on the whole a better form of practical training than anything you can devise within the walls of an institution?—No, I do not think so under present conditions.

34303. You say that the Provincial Civil Service is under-paid. What would you consider to be suitable rates of pay, and what grievances particularly have been brought to your notice. Anything positive in this direction from witnesses that come before us will be of the greatest use to us?—First of all with regard to the listed appointments, beginning at the top, I think that the two-thirds pay is a very substantial grievance. If a man is good enough to be entrusted with the responsibilities of high office of that kind the difference between two-thirds pay and the full pay which is given to the civilian holding that appointment is too great a difference, and it undoubtedly is a cause of some complaint and grievance amongst the Provincial Service. Of that I can speak from actual knowledge.

34304. You would get rid of the two-thirds pay rule and give the same pay as is given to officers of the Indian Civil Service?—Yes. The argument used is: "If I am good enough to do that work why should I not get the pay?" The only answer

to that is that the one man has come out from home and spent a lot more on his education and is living in a foreign country, and therefore ought to get something more. Then with regard to the lower posts, what I say is rather more theoretical. There is no real standard to go by yet, because appointments are made by selection. I am speaking now of the Central Provinces. With regard to the Judicial Service, no doubt certain qualifications are necessary. It is almost the invariable rule now that a man has to begin at the bottom, and he must have a Law Degree before he is appointed a Munsif, and Munsifs are now promoted to Sub-Judges. These Munsifs have considerable responsibilities, and they start at Rs. 100 or Rs. 150 a month; it is only quite lately it has been raised to Rs. 150 a month. It seems to me that you cannot expect to get men who have spent a good deal of money on their education and on their Law Degrees, men of the best schools, at that pay. They may have to serve a great many years before they rise to so much as Rs. 250 a month. Then you come to the Sub-Judges. We have now District Judges trying cases without limit of value, and some of them are also working as Additional Sessions Judges, with powers of life and death, and they are only drawing Rs. 400 or Rs. 500 a month. That does not seem to me to be sufficient pay for a man with those responsibilities.

34305. What would you suggest then with regard to actual figures?—I am afraid I am not sufficiently well up in finance to say. These things have to be regulated by what the State can afford.

34306. They have to be afterwards, but apart from that what would you consider to be a fair remuneration? You told me you do not think it is enough, and therefore it would be useful to us if you could tell us what would be enough?—I think I would enlarge it if possible by 50 per cent.

34307. Would you enlarge it right through the line?—I would enlarge it right through the line by 50 per cent.

34308. Beginning with the Munsif in the Subordinate Service at Rs. 150 and going right up?—I would begin it at Rs. 225 if possible, but of course in return for that I would have a much closer scrutiny over the field of recruitment.

34309. I daresay you have seen the proposals for advancement of pay which have been put in by the Local Government in this Province, and I would ask you whether you generally agree with them?—I do not think I have seen the scheme. It is a matter which is dealt with entirely by the Judicial Commissioner. We confine ourselves to the judicial work and take no part in the administrative work.

34310. Taking it all round, would you say from your experience of this Province that there were enough Judicial officers to do the work required of them?—Certainly not. It is an extremely overworked department.

34311. Could you give us a little more enlightenment on that subject?—I can only speak from results. Starting from the Court of the Judicial Commissioner, we have now a temporary fourth Judge, and it is only by the hardest work, Sundays and holidays, that we can keep our cases within one year: that is to say, an appeal which is filed to-day will be heard in March 1914. I admit that that is a very much better state of affairs than prevails in some of the Chartered High Courts, but still it is only by working in that way that we can keep our work going.

34312. Everything is a year behind?—Yes. We are expected to do 40 to 50 second-class appeals, apart from all Criminal work, in a month. The Commission see the amount of time that it takes to examine two witnesses, and you would not give less time than that to the final decision of a case. In second appeals alone we are expected to do that number.

34313. But they vary?—They vary very considerably. You may get one that takes you a week and another that takes you ten minutes, but taking the average I find that no Judge at the present moment in the High Court is able to keep pace with his list, even doing 900 to 1,000 cases a year. What average that works out to is evident. District Judges, besides doing the Judicial work, which is steadily increasing, have now a great deal of administrative work; they supervise the Subordinate Judges and Munsifs and the offices, and the whole of the clerical business is done by post, the Judicial Commissioner himself not having time to go round and make any personal inspections. District Judges whom I knew a few years ago as strong, hale, hearty men, are now broken down cripples, and that is due to nothing but work pure and simple. One man has gone because of his eyes, another man has gone on account of his hearing, and their health has broken down completely.

34314. That is exclusively in connection with Civil work?—Yes. It is caused by excessive sedentary work, sitting all day and half the night to keep judgments up to date, and so on. They are very much overworked. We are undoubtedly undermanned. What the extent of that undermanning is I am not in a position to say; the Judicial Commissioner would be better able to tell you that, as I do not see the calendars or the results. It is common knowledge, however, I think, that the Judicial Service in this Province is undermanned.

34315. And that goes through to the Subordinate ranks as well?—To a great extent I think it does. Of course we have increased the number of Munsifs, and the very extensive Small Cause Court powers have been made much more extensive than should be the case. We have very low paid Judges giving final decisions in Small Cause Court cases up to a limit of Rs. 1,000.

34316. What salary are they getting?—Some of them Rs. 300.

34317. Generally speaking then you say it is undermanned right through?—I think so.

34318. You would not restrict the recruitment for the Provincial Civil Service of any Province exclusively to the residents of that Province?—No.

34319. You would open the door for recruits to come in from any other part of India?—Yes, by competitive examination.

34320. What advantages do you see in that?—You would get a wide field of recruitment and

efficiency. It is a sort of survival of the fittest. I think the time has gone by in India when a man is to be appointed only because he is his father's son or a native of the Province. No doubt it is an advantage to have a native of the Province to a great extent, but the administration is being run now on more or less European lines, and is continually advancing that way, and I think that if you can get better men from other parts of India there is no greater reason for not having them than for not having a Scotchman to serve in England.

34321. Do you advocate that because there is an inadequate supply in this Province or because you think that the time has arrived when the walls of the Provinces should be more or less thrown down, and people should come into the Service from any parts of India?—Speaking for this Province I would admit both those considerations. I think the educational institutions in this Province are not as advanced as they are in other Provinces, and that therefore the supply is of not so high a quality, and certainly not numerically sufficient. Also I think the time has come, now that Indians work not in the vernacular languages, but in the English language, which is common all over India, that the walls should be broken down.

34322. You do not apprehend that any difficulties will be caused by bringing into the Service in this Province an officer from Madras or an officer from Bengal?—No. We have had that for many years. Bengal was once our main source of supply for many Provincial appointments.

34323. (*Sir Murray Hammick.*) I do not quite understand the Judicial arrangements in the Central Provinces. You say there are District Judges acting as Sessions Judges with powers of life and death, drawing Rs. 400 a month. How many such Judges have you?—Here is a case on page 72 of the Civil List; Amrit Lakshman Dighe, M.A., B.L., fourth grade, Rs. 500, Akola; Additional District and Sessions Judge, West Berar Division.

34324. He is a Provincial Civil Service Officer?—Yes.

34325. And he is an Additional Sessions Judge?—Yes. Here is another man. Ramlal Dinanath Pande, B.A., Wardha, Officiating District Judge, Additional Sessions Judge, Rs. 400.

34326. I do not quite understand the Judicial system here. Could you describe it very briefly? What is your own Court?—The Court of the Judicial Commissioner with Jurisdiction over Berar.

34327. Consisting of three Judges and an extra Judge, I understand?—Yes, four Judges.

34328. They sit at Nagpur?—Yes.

34329. How many District Judges with Additional Judges' powers are there?—We have four Divisional Judges who are the Sessions Judges for the four divisions of the Central Provinces. Those are all the Sessions Judges we have. Then we have two Judges in Berar who are District and Sessions Judges, one for East Berar and one for West Berar. To assist these officers certain members of the Provincial Civil Service, chiefly, are put on as Additional Sessions Judges.

34330. How many of those have you?—Of course we have a District Judge in each of a certain number of Districts, I think 16 in the Central Provinces and two in Berar. From time to time they are gazetted, but I could not tell you the number straight off. They are all in the Civil list.

34331. They are really Sub-Judges?—Yes.

34332. From the Provincial Civil Service?—Yes.

34333. But I suppose these Sub-Judges who are acting as Additional Sessions Judges only take cases sent them by the Divisional Judge?—That is so.

34334. And the heavy cases, such as a murder case, the District Judge would not as a rule send to these men? I suppose he sends them more or less the petty sessions cases?—Last week we heard an appeal in a murder case which was tried by Mr. Ramlal Dinanath Pande, a very complicated and difficult case of murder which the Divisional Judge of Nagpur was not himself able to try for want of time.

34335. The Sub-Judge who tried it had, I suppose, never done any criminal work at all until he was appointed Additional Sessions Judge?—Very little criminal work. This is the first case of his I have ever seen.

34336. Can you tell us how long he has been a Sessions Judge with criminal powers?—I could not tell you that.

34337. As regards this scheme of yours for an Imperial Service, I do not quite understand how you intend that it should work. These men are to be appointed to a separate cadre. Would you take away a certain number of appointments from the Central Provinces and Berar and make them into a separate Service altogether to which only Indians should be appointed?—Yes.

34338. You would take a certain number of Deputy Commissionerships, Assistant Commissionerships, Commissioners, and Judges, and place them in a separate list to which Indians alone would be appointed through this examination to be held in India?—Yes.

34339. And the rest of the Service would be entirely manned by Englishmen or Anglo-Indians?—Yes.

34340. But you would not geographically allocate certain districts to be manned by Indians and certain districts to be manned by Anglo-Indians?—No. There are certain districts in this Province which are now manned by Native civilians.

34341. What proportion do you propose to give?—I would prefer to leave the proportion to the Local Government, and also leave to it what posts are to be available. I do not know, for example, that I would open up the Financial Commissionership, and it would depend upon a good many circumstances whether I would open up a Commissionership. This is a door by which the Indians are to have such higher appointments as they now get by the very difficult door of the competitive examination in London.

34342. But before you started an examination of this kind, if it were to be universal throughout India, the Secretary of State would have to lay down the number of appointments of all grades

which would be open to this Service, and that would have to be fixed for a long period of years?—Yes.

34343. Therefore it would be absolutely necessary to fix the proportion at once?—Yes.

34344. Would not you find that a very great difficulty?—I quite admit it would be, but not any greater than the difficulties now met with.

34345. What superiority would a scheme of that sort have over a scheme which has been proposed several times, of a separate examination in India for a certain proportion of the appointments in the Civil Service, and then allowing the men who passed that examination to be graded in the Civil Service in each year in accordance with seniority, allowing these men to run alongside the men who pass in England, and with the field open to them of the whole of the Civil Service appointments? I do not see what superiority your scheme has over a scheme of that sort?—Possibly not, but I prefer my scheme. Of course it is only my opinion.

34346. Your scheme has this great disadvantage, that any idea of inferiority which would attach to your cadre of appointments open to Indians would attach to it for all time, while if you had a separate examination for appointments in the Civil Service out here everybody would get a fair chance, from the time they started, for all appointments. If you at once allot a certain number of appointments to your cadre, the discontented Indian element would at once say that this was an inferior Service with an inferior number of appointments in it, that they did not get promotion with the same rapidity that the men in the European Service did, that they were sent to bad stations, and so on, and it would be open to all those objections, which would not attach to a scheme by which you admit a certain number of Indians to the Indian Civil Service by a separate examination in India and then give them a fair run with everybody else on equal terms?—I do not think you can devise any scheme that will give complete satisfaction. If the motive which is to guide us in coming to a scheme is to obtain satisfaction from Indians, then the whole of the Indian Civil Service should be recruited in India from Indians; nothing less than 100 per cent. will ever satisfy them.

34347. Under your scheme you might have an Indian in your Indian Service, after twelve years' service, still drawing only the pay of an Assistant Commissioner, owing to a block in the Service, while in the English Service you might have, owing to a peculiar rapidity of opportunity in the Service, which might come about at any time, a man acting perhaps as a Deputy Commissioner. Would not that cause a great deal of grumbling on both sides? It might happen one way or the other?—It might happen one way or the other, but a man takes the chance of his own cadre, and if it is made with due regard to proportions I do not see why there should be any more difficulty in a small cadre than in a large one.

34348. What benefit do you see in this racial distinction of putting two separate races of people into two separate Services?—There would be harmony between Europeans and Indians. There is no greater friction at present than that which arises from their both being put into the same cadre.

34349. Do you think this friction exists between the Indian who has passed in England and the European?—I think so. I have a case in mind at this moment. It is felt only by those who work under the Indian, not by those whom he works under.

34350. You think that in this Province there is a good deal of friction between the European who is working as subordinate to an Indian and his superior officer?—I think so. It may be a lamentable fact, but it is there.

34351. We have not had any evidence of that up to date; wherever we have been I do not think that difficulty has been put forward, and of course it is interesting to get it upon record. For that reason you think it would be advisable to have a separate Service, as two separate Services would really tend to more unity than trying to bring the two races to work together in the same Service?—The principal reason is one which is common to what you have mentioned, namely, that Indians who are to work in the Indian Civil Service ought to be given a fair chance of being recruited in India; it ought not to be confined to the exotics who go to London.

34352. In your answer to question (25), where you were asked whether you recommend any alterations in this system, you say "I do not, so far as recruitment by open competitive examination in England is concerned. Indians by birth, if they are to be admitted at all to this particular cadre, should be required to live continuously in England for at least six years." Do you think that a system of scholarships to young boys of 13 or 14, to enable them to go home and stay in England for six years, would be of value. I mean a fairly liberal scheme, to enable them to go to English public schools, on condition that they went up for the Indian Civil Service examination. Do you think the boys would go to begin with?—I do not think it would answer. I simply put this forward as a sort of last resort. If you must have them through the London door this is the least you can do.

34353. But you do not think scholarships would answer?—No.

34354. Would it be that the parents would not allow their children to go?—What are you building up? Are you making a model Service framed on British ideals and British principles, or are you going to patch it up with a certain amount of imitations, however excellently made up, by forced means in England?

34355. To begin with, you do not think that even a boy going home at 14 and having six years' training would produce the desired result as far as character, etc., was concerned?—Not altogether. It would perhaps in particular cases.

34356. Do you think the Indian parents would send their children?—I do not think they would generally.

34357. Do you think that good families in the Central Provinces would let their children go home at 13 or 14 for six years?—I do not think they would. A few might. There are considerations of caste, in good families especially, and there is a very close family affection; the parents are very fond of their children and proud

of their sons, and they would consider it a great hardship to send them to a strange country to live among strange people.

34358. As far as I can see, your idea is that candidates who are domiciled in India should go home for two years, but Englishmen should stay at home one year, and you propose that the age now should be reduced to 18 to 20 so that an Englishman would come out here at 21, and you would send him to a central institution for a year and then to a provincial institution for a year?—Yes. The main object of the central institution is acclimatisation. I think if an Englishman is given a fairly good climate to begin with, before he goes perhaps into the malarious climate of his own Province, he is more likely to stand up to it.

34359. What would you teach at the central institution and the provincial?—In the central institution I would teach him Laws which are common to British India, as distinguished from the laws of the Provinces themselves.

34360. And the vernacular?—The vernacular of the Province to which he is eventually to go.

34361. After his year was over and he came to the provincial institution, what would you teach him then?—It would be a period of probation, not a period of trying cases at the expense of the public.

34362. You are not particular about this provincial institution; you might send them to work under a special Deputy Commissioner for a year?—Yes.

34363. Provided they have no powers?—Yes, and that they have passed all their examinations, including their Departmental Examinations.

34364. I suppose, as it is now, a boy who comes out is not generally invested with magisterial powers, and does not begin to try cases until he has been six months in the country?—Speaking generally he does go through a small period of probation, but he gets third class magisterial powers almost immediately.

34365. Your idea is that a young civilian who comes out to the Central Provinces as a rule begins to try cases and do work before he has been properly trained?—Yes.

34366. In your answer to a question I notice you say you place no value at all upon the attendance at Law Courts at home?—No.

34367. Do you know what the course used to be at the Law Courts at home thirty years ago?—I could not say it straight off, although I attended it.

34368. Supposing the course was something of this kind, that a boy stayed at home for two years, and for the first six months was made to attend so many days at a London Police Court, taking down half-a-dozen petty cases, and also at a London County Court taking notes of cases, showing all the points that have been raised and the difficulties in the case, giving an abstract of the evidence of each witness; and supposing that at the first periodical examination these notes were put in and he was examined on them *viva voce* to see how he would have dealt with the cases; and supposing that during the next six months he had to take more complicated cases and again go through another examination, with the same *viva voce* on his notes; and that, with still higher cases, the same examination took place again, until eventually he was taken from the lowest course right up to the Privy Council—would you say that a course of that sort would be of no practical value to the probationers of the Indian Civil Service?—You have a much greater knowledge of this country than I have, but I would suggest to you that to take a boy who has been trained in that way and put him out in camp, at his camp table, with his lying witness, his strategic Pleader, and the accused who is ready to say anything he thinks is right, is not a training that would be of the slightest use to him.

34369. I think it would be of great use to him. Do not you think it would teach him, at all events, the proper decorum and proper method of examining a witness, the importance of carefully examining his codes, before he passed any order, to see that he was right, and help him to understand the general scheme of the Criminal Law? Do not you think two years' careful training would teach him all that?—Would you examine an Indian witness with that style of decorum and method that an English witness is examined in England?

34370. You still think that would be of no use?—I doubt it. My answer rather had in mind a more or less optional course where he is his own guide and reports what he thinks was right, and so on.

34371. In answer to a question by the Chairman you said you strongly objected to his learning at the expense of the public, and of course no doubt we all object to that, but a boy must begin to learn at some time or other by trying a case: he must try his first case. The only question is whether the teaching which he would get during a course of two years' careful preparation at home, by attending Law Courts and lectures by the best lawyers, and then coming out here and taking a six months' course in the Codes, and watching his District Magistrates trying cases, would not make him far more efficient for his purpose than serving in a college at Simla or Agra for a year and then getting a six months' course with a District Magistrate down here, without having had the thorough two years' training that a boy to my mind ought to get in England. Do not you think that a course such as I suggest would be just as likely to make that boy as efficient to try his first case as the course that you suggest at two colleges, one at Simla and one in the Provinces?—No, because, with great respect, I think that local knowledge is the prime essential of efficient administration, whether Executive or Judicial, and you cannot get local knowledge from anything that you can see or do in England. The circumstances of the two countries are entirely different. It is not only what he learns at these institutions but what he moves amongst: his servants and everybody teach him something.

34372. I should like to ask you more about your proposed recruitment from the Bar for the Judicial Service. I am not quite sure exactly how far you propose to go. You say that the remainder of the superior posts might with

advantage be recruited from the Bar: do you mean District Judges' posts?—Yes, superior posts.

34373. You mean from the Indian Bar as well as the English Bar?—Yes.

34374. You mean Vakils and Pleaders?—Yes.

34375. Do you mean that you would take a Pleader from the Bar and put him straight in as a District Judge without any training at all?—I am not talking about a new Pleader or anything like that.

34376. I mean a Pleader with practice, in the same way as is done in some countries, as for instance in England, where you take a K. C. from the Bar and make him a Judge. Is that the idea you have here, to take a Pleader and put him straight in as a Judge?—Yes.

34377. Do you think that a Pleader, from his career in this country and the kind of work he does, would be fitted to go straight in and take over a District Judgeship without any preparation?—What kind of preparation? That is exactly what happened in my own case, although I ought not to speak of it, and in the first administration report of that year I was not seriously condemned.

34378. Did you come straight from practising as a Barrister into a District Judge's place?—Absolutely straight in. I handed over my practice to another Barrister on the 10th March and on the 18th March I took up the Divisional Judgeship of Nagpur, and I thought that my work at the Bar helped me enormously in writing my first judgment.

34379. Did you find any great difficulty in the administration of the District, looking after your process-serving establishments and after the Sub-Judges?—No. I knew the whole constitution of these courts from having worked among them. I knew what the Nazar was, and what the Clerk of Courts was.

34380. Where did you practise?—From Jubbulpore I was put into Nagpur, which was of course in the same Province. It will be seen that I say "Members of the Bar who elect at some future time in their careers, in the event of their being fit for it, to be made District Judges, have to come under special rules of supervision by the High Court." They have, as it were, to enrol themselves as candidates.

34381. You say that no lawyer should be eligible who adopts politics as a great part of his occupation?—Yes.

34382. With regard to the Provincial Service you think that Munsifs are not sufficiently paid in this Province?—I do not think they are.

34383. They begin you say at Rs. 150?—Yes, the fourth grade.

34384. What figure do you think a Munsif ought to begin at?—The proportion I gave the Chairman was 50 per cent. more, and that would be Rs. 225.

34385. Rs. 250 you think would be a proper figure?—I believe that is the figure in Madras.

34386. It is. You are not prepared to say anything about the Executive side of the Provincial Civil Service?—No.

34387. Do you think that the ordinary Sub-Judge is satisfied with his prospects, or do you recommend better appointments at the top of the Sub-Judge's grades. He rises to Rs. 800 now, does he not?—Yes.

34388. Do you think it is necessary to improve that?—I think so. I think it would add to the popularity of a somewhat unpopular branch of the Service.

34389. Is it difficult to get recruits to the Judicial Department from efficient Pleaders?—They are brought in at an early stage of their career very soon after they have passed their examinations.

34390. Do you think you get the pick of good men?—Certainly not. We get men who are B.A.'s and B.L.'s and unable to make a practice for themselves.

34391. A boy who has a prospect of a good practice at the Bar would not go into the Service?—I officiated as Judicial Commissioner of Berar, and when there it became necessary to get a few Munsifs. I had noted one or two men, junior at the Bar, and I told them that they had good prospects, but they refused to come.

34392. (*Mr. Chaubal.*) You have four Judges, I believe?—Three Judges and one temporary Judge.

34393. Do you sit in Benches here?—Yes.

34394. So that you have generally two Benches?—Yes.

34395. You have to do the Civil and Criminal work of four divisions?—Four divisions and Berar, East and West.

34396. Five divisions in all?—Yes.

34397. And you say you are overworked both on the Criminal and Civil side?—Yes.

34398. Have you seen how your work compares with any of the Chartered High Courts with the same number of Judges?—No, not as far as I know. Compared with Lucknow, which is very much the same as ours, we find that our work is very much higher.

34399. I do not know anything about Lucknow, but I know something about Bombay. Bombay has generally four Judges for Appellate work sitting in two Benches, and you will admit that your Divisions are much smaller than the Bombay divisions?—I presume they are.

34400. You have no division in which there are more than five districts?—No.

34401. You have one division in which there are only three districts?—Yes.

34402. In Bombay there is no division which has less than seven. You say that the disposal of 40 to 50 second appeals per month overtaxes the Judicial Bench?—40 or 50 second appeals only, but there are lots of other things besides, such as first appeals and applications.

34403. I know that, but taking the second appeals by themselves. I suppose you would admit that, if on comparison of the work, the amount of work in the Central Provinces was less than in the Chartered High Courts you would have to qualify your statement that the Judges are overworked?—Certainly not. How does the Bombay High Court deliver its judgments? Are they not taken down by a shorthand writer?

34404. I will give you that information privately?—I have seen the Allahabad High Court work, and there the Judge gives his judgment in about one-tenth of the time it would

take us to write our judgment. We write every judgment with our own hands.

34405. Do you mean you must do so?—We do in point of fact.

34406. When you confirm a decree you need not write a judgment?—We do.

34407. But you need not. Where a judgment is confirmed, it is not necessary for a 2nd Appellate Court to write a judgment?—We think it is. It is our practice to write a judgment in every case, however short, with our own hands.

34408. For the Central Provinces there are four Divisional and Sessions Judges for the four Divisions?—Yes.

34409. Are there separate Judges for the Districts in each Division, Civil and Criminal, District and Sessions Judges as you generally call them?—No, not in the Central Provinces.

34410. So that a Divisional and Sessions Judge is the Civil and Criminal Judge for the whole Division?—No. He is the Criminal Judge for the whole division and the Civil Appellate Authority for certain cases throughout his Division. Then there are Civil District Judges in each Civil District. There are also Additional District Judges, some of whom also work as Additional Sessions Judges.

34411. Your District Judge has no original Civil Jurisdiction?—The Divisional Judge has not except in matrimonial cases.

34412. And Probate?—No; the District Judge does all the Probate work.

34413. You find they are also overworked?—I think so, as far as I can judge.

34414. Has frequent assistance to be given by investing Subordinate Judges with Criminal jurisdiction?—Yes, in some cases.

34415. In my Province we have frequently, on account of this same complaint, invested Subordinate Judges of the first class with the powers of Assistant Sessions Judges, and we give them those powers in order that they may assist the District and Sessions Judge in the disposal of the work?—We have some cases of that kind. I would not say it was frequent but it has become more frequent than it was, under pressure.

34416. With respect to some of your answers, in the first place may I know why it is you consider that an Indian should not be permitted to appear at the competitive examination in London. You are proposing that the Indians should not be permitted to appear at the competitive examination in London because it will be doing good to the Indians themselves, in the first place by removing them from the false position in which they find themselves as regards their European colleagues in the same Service?—Yes.

34417. And secondly because he would not be in the same false position in which he is as regards his own orthodox circle, the circle from which he has gone to England?—Yes, and I would have an examination out here.

34418. I am looking at it from the aspect that you wish to stop him from going in for the present examination. So far as I have gauged the Indians' feeling, it is exactly the other way. Therefore I want to have your opinion, because I think it would be considered a serious misfortune by the Indians if for any reason you were to shut the English door of the competitive examination against them. On what solid basis does your opinion on that point stand?—On very much the same as yours: a knowledge of the people for the last thirty years.

34419. I am going to give my own opinion, which you have not yet heard. Do you know a large class of Indians who at present go home and appear for the competitive examination, or say during the last ten years, Indian candidates who have gone from India and appeared at the competitive examination in London?—I have met some of them.

34420. Do you think that they belonged to the old orthodox class of Indians before they went from here?—I think there are exceptions to it. They are pioneers.

34421. Therefore you cannot say that while they are here they form part of the orthodox section of their community?—If you will kindly give me a definition of the "orthodox community" I may be able to give an answer.

34422. I take it to have the same meaning that you give to it; it is your expression, not mine, in the answer which you gave to the Chairman. You said that he finds himself in a false position as regards the orthodox section of the community in India after his return?—Yes.

34423. My question is: not thinking of the position he finds himself in after his return, but of his position before he goes, can you say that before he went to England he was part of the orthodox section of his community with respect to which you say he finds himself a stranger on his return?—He may have been; I cannot tell whether he was or not. He cuts himself off from his home life and from his traditions and from his caste and from his clothes, and from everything that goes to make him an Indian.

34424. Do you find from what you know of those gentlemen who have passed through the open competitive examination, or for the matter of that amongst those who have failed and come back here, that they are the less Indian because they happened to have gone and studied for three or four years in England?—No, they remain Indians.

34425. Therefore they do not get out of touch with their communities?—That is another point. I say they do.

34426. Will you kindly illustrate how?—You can be an Indian and be out of touch with the Indian community.

34427. In what way out of touch?—I am sorry you press me for this, but I must reply. Some of them come out and remain unmarried until they are of a considerable age, and that is rather unusual. Some of them marry European wives, and that is unusual.

34428. That is very rare, is it not?—It is not very rare.

34429. You can hardly point to one instance in a hundred?—I do not know.

34430. If you look into it you will find that is the proportion. You are proposing a scheme which is for adoption by the whole community, shutting out all Indians from going to England for the competitive examination. Can you say

that they are not in touch with the feelings and manners and customs of the people?—I should like to know what you mean by "in touch."

34431. I attach the ordinary meaning to that expression?—Would you say I was in touch with Indian feelings and manners?

34432. I should say one per cent. of the Europeans are in touch with the Indian feeling, even of those who have passed 25 or 30 years in India. I am telling you frankly my own personal opinion?—I am glad to hear it. When you Anglicise an Indian you take him away from that touch; he becomes English and out of touch.

34433. My question is with regard to facts. With regard to those gentlemen whom you have seen come back from England after three or four years' residence there, can you say that they have failed to understand the feeling and sentiments of the Indians and of their own communities here?—No.

34434. With regard to the first ground, whose fault is it, do you think, the fault of the Indian or the fault of the European?—It is nobody's fault. It is a fact and a circumstance.

34435. Then it is not the Indian who is to be blamed for that?—No, very far from it. He is the victim of circumstances.

34436. And he is to be victimised by not being permitted to appear at the competitive examination because it is nobody's fault?—No, it is not victimising at all. It is victimising him to compel him to appear, to try and make a European of him, to make him an imitator instead of something real.

34437. As a matter of fact, he does remain the same being he was before he went?—You asked me whether he lost knowledge of the thoughts and feelings of his community, and I say he does not lose knowledge but he has become an imitator of the English.

34438. He may have become an imitator of a lot of other things, but he has not ceased to be in touch with the feeling of his own people. Whatever else he may learn, it does not disqualify him from efficiency of service. With regard to the Judicial Service, you said in answer to the Chairman that recruitment to the Judicial Service must not be tied down to any one source?—Yes, with reasonable consideration for the established Services.

34439. But at the same time you want the Indian Civil Service portion of the Judicial Service to remain to a considerable extent as part and parcel of the Judicial Service?—Yes.

34440. May I know to what extent?—I cannot say; it depends on the circumstances of each Province, upon the cadre of the Service and many other things. It would be misleading to lay down any fixed proportion, which I take it is what you want.

34441. Supposing it is suggested, as it was suggested to us in some Provinces, that the whole of the Judicial Service may be manned and equipped from the different sources that you mention, without fixing any proportion of the Indian Civil Service at all. The Judicial Service need not necessarily form a portion of the Indian Civil Service; if you like you may take some from the Indian Civil Service, those who are specially fitted or those who show special inclination for Judicial work, and recruit the rest from Barristers and Pleaders. Would you be opposed to that suggestion?—I think it would be absolutely impossible to work it. How could you possibly have a cadre of a Service like the Indian Civil Service unless you reserve a certain percentage of appointments. If you do not reserve them, what will you do with your men? You bring out twelve civilians who are likely to be fit for the position, and you have ten appointments and six good Barristers to put in, and you have only four appointments left for the Civilians. What will you do with the other six?

34442. If necessary I am prepared to go so far as to say that there will be no civilian in the Indian Judicial Service?—Then I think your supply would fail.

34443. You mean it would not be possible to get enough practitioners?—Not of the standard I have in my mind's eye.

34444. Taking the present posts in this Province, you have got only six District and Sessions Judges?—That is so, in the Central Provinces and Berar.

34445. And you think it will not be possible to get even six with the more liberal principle which you advocate of, where necessary, recruiting from other Provinces?—I nowhere speak of recruiting from the Bar of other Provinces. Every recruit from the Bar must be recommended by the High Court.

34446. Are you only able to find six persons practising at the Bar who can be proposed for filling the six places?—I do not think we could find two who would be willing to take them of those who would be fit to do so.

34447. Do you suppose that pecuniary gain is the only thing a man looks to in connection with the higher Services of the Judicial line?—It depends on his character. Some men like honour while others prefer the banker's balance.

34448. But there are people who prefer honour?—Certainly.

34449. For instance, we have yourself in the Judicial line taken from the practising Barristers?—My appointment was a question of money.

34450. I suppose when you say you would not be able to get enough men, you also have that qualification in your mind, that no lawyer who has adopted a political career, or taken an active part in politics, should be eligible?—Yes. I hold a very strong view on that point, because I think the adoption of a political career necessarily drives a man into the position of looking at matters from one point of view.

34451. Are you speaking then from experience or is it only a matter of theory?—All things are more or less based on our experience of our fellow men.

34452. I am sorry for the experience then. In my Province at least four Judges of the High Court have been all leaders in politics, men who have taken a most active part in what you call a political career. Do you think that their work suffers?—I am not in a position to state any opinion because I do not know any of the gentlemen concerned.

34453. I want to know whether this opinion of yours is based on your experience of persons who you say have adopted the political career being put into these posts and tried?—It is based on my experience of Indian politicians, an experience gained long before I went on to the Bench, when I was behind the scenes and had their confidences.

34454. My question was whether you have seen their work in their Judicial posts?—I am not aware of any politician having been raised to a Judicial post in the Central Provinces. We are now talking of District Judges and High Court Judges.

34455. It does not matter. I do not see what difference there should be in the efficiency of the work of a District Judge and a High Court Judge. If they do take part in political matters I do not see that that should disqualify them from Service. You differentiate the case of the Anglo-Indians and Eurasians from the Indians, and I should like to know on what grounds you do that?—I understand Anglo-Indians and Eurasians are people who have their home influences and surroundings in this country, and I think they gain a great advantage in having a slightly longer period of English training.

34456. You would allow the Eurasians and Anglo-Indians to appear at the competitive examination?—Yes.

34457. But you do not allow the Indians?—No.

34458. My question is with regard to that point?—It is the only thing they can possibly have. They would be absolutely out of place in Indian cadre.

34459. Why?—Because they would.

34460. In the particular Imperial cadre you have proposed why would they be out of place?—I would rather not say. Ask them. Ask the community. Ask the Anglo-Indian Defence Association. All those people will tell you.

34461. They will tell me that they are not fitted to serve in an Imperial Service cadre such as you have proposed?—I do not say so.

34462. Then I do not follow you?—They will not work with Indians.

34463. Because they will not work with Indians you must give them the open competitive door in England, is that so?—Yes, because there is nothing else for them.

34464. If they will not have it then let them go without it?—Their habits of thought are more European than Indian.

34465. You think there is something in their thoughts and their training which differentiates their case from the case of the Indians?—No. There is something in their training which differentiates their training from that of the English.

34466. What training they have you think entitles them to this exceptional treatment as compared with the Indians?—Yes, I do.

34467. May I know in what this training consists? I am absolutely at a loss to understand why you select one particular class of the inhabitants of this country for preferential treatment as compared with other inhabitants of the same country?—Because they belong to one race and not to the other.

34468. Then I understand it comes to this, broadly speaking, that so far as the Indian is concerned it is a taint in the blood which afflicts him?—I do not know.

34469. (*Chairman.*) I do not think we need go further into this. If Mr. Chaubal desires to go into it he must do it in private, because it is against all the interests of the public that it should be done here. (*Witness*) If Mr. Chaubal presses me much more I shall have to tell him what I think

34470. (*Chairman.*) It is not in the interests of the public that we should bandy these questions backwards and forwards. If it is desired to do so, we shall have to clear the room. (*Mr. Chaubal.*) I do not desire it, but I do not think that an answer like that should be published wide-cast to the world, and that I should not have an opportunity of cross-examining the witness on the point.

34471. (*Chairman.*) If you desire to do so, I think it would be far more in the public interest to do it in private. (*Mr. Chaubal.*) I quite agree, but I will not press the matter any further.

34472. (*Mr. Macdonald.*) As I understand it, you want two Imperial Services, an English wing into which Eurasians may go and an Indian wing into which only pure Indians may go?—Yes.

34473. You want the English wing to be filled up by nomination *plus* examination?—Yes.

34474. I want to understand what you mean by nomination. Is every young man who wants to sit for this examination to receive a nomination before he can sit, or do you mean simply to weed out the big crowd that may apply, on account of their deficiencies?—I would prefer the latter course.

34475. So that it is not nomination you want, but weeding out?—Yes.

34476. It is very important that we should use our words very carefully. You would like to have men in the Service who are morally, physically, socially, and racially fit for their work?—Yes.

34477. Can you test the moral qualities of a young man by a Board or by reports?—As far as antecedents can help you, the little that is known of him, his school life, childhood, birth, and so on.

34478. Do you take the view that morality is hereditary?—Certainly not.

34479. Therefore to test his morality by his antecedents is a very risky thing?—It is the only thing you have got. You may lose a Derby winner in weeding out a stable, but you must weed it out according to the principles of experience.

34480. Your suggestion is that the Indian Civil Service is to be weeded out like a stable, with the chance of losing a Derby winner; but you do not win the Derby by moral character do you?—I am afraid you are seeking to carry the analogy too far.

34481. Might I suggest that the analogy was pushed too far by yourself?—Perhaps so.

34482. You want to get the moral man and your suggestion is that you can select him?—I do not say that I want to get the moral man. I

want to get a man with character, the character that is required in this country to lead and direct.

34483. Would you mind sticking to your brief. You say, in answer to question (42), that amendment is called for in the direction of narrowing the entrance door: that refers to the entrance door for English candidates not for Indian candidates at all?—Yes.

34484. So as to shut out from the examination room men who are not moral men and so on?—Yes.

34485. I have asked you how you are to test the moral qualities of those candidates who come up for the examination, and you have made two suggestions, first of all heredity and secondly school reports. Dealing with your first suggestion do you stand by heredity or do you not?—I do to a great extent.

34486. Although you admit morality is not something which is inherited?—It is not a monopoly.

34487. So that even on that test you are as likely to make mistakes as simply leaving it to an open competition?—I do not think to the same extent; an open competition is chance pure and simple.

34488. Heredity?—Not to the same extent.

34489. Not quite to the same extent, but chance?—To a certain extent it is chance.

34490. When you have selected your moral man . . . ?—When I have excluded my immoral man, if you will kindly say, and keep to the brief.

34491. Very well. When you have excluded your immoral man and you have weeded out your garden so that from your point of view it is going to produce moral flowers, you have only weeded out an immorality which is true of England and English conditions, have you not?—Yes.

34492. Is not your great problem in India to keep your man moral after he has come out to India?—I do not think so. It is not a problem which I have had to study in the Civil Service.

34493. You state in answer to the second question that many clever men come out in the Indian Civil Service who fail as administrators for want of the necessary character, or physique, or both?—Yes.

34494. Do you want to tell the Commission that in your view the defects in the character of the men were evident before they left England?—They might or might not have been if they had been looked for.

34495. Do you know men who were very promising men when they came out but turned out to be bad men after they had come out?—I cannot call any particular instance to mind.

34496. Can you call to mind the opposite men, whose apparent character was not very promising when they came out but who turned out to be admirable officers?—No, nor that either. I have not held any scrutiny into the character of these people. As a rule they fulfil expectations.

34497. But still the value of your proposals consists in their practical character, and consequently only in so far as you can speak from experience are your proposals worthy of consideration?—That is so.

34498. Now we will come to the Indian side. You have two reasons for proposing your separate cadre, so far as I can understand. First of all, when you send an Indian to England to get educated, he comes back—I do not want to pin you down to a form of words—not exactly an Indian; some sort of subtle mental change has taken place in him which expresses itself in different clothes, different habits of life, different age of marriage, and so on?—And to a certain extent lines of thought.

34499. That is what I mean. This subtle change takes place?—Yes.

34500. I suppose he has come under new social, political, economic and culture conditions?—Yes, possibly.

34501. The young Englishman comes out here under new modes of thought, new conditions, new climate, new culture and a new bent of mind. As a matter of fact the Indian problem which the Englishman has to solve as an administrator is not the same problem in kind as he would have to solve if he had gone into the Home Civil Service?—Substantially I agree with that.

34502. Do you not think it is a self-evident proposition?—Yes.

34503. Consequently when the Englishman has been out here ten or twelve years he is not exactly in his mental constitution the same sort of person he would have been if he had remained at home?—That is so.

34504. By a parity of reasoning, which I admit is sound as far as the Indian is concerned, in making our selections we have to take that into account, and when people talk of British traditions we have also to take that into account?—I do not admit that India makes the change in the English character of the Englishman that England does in the Indian.

34505. But the same influences are at work?—The same influences are not at work. The Indian goes to a country which is the dominant country. It is no good not looking facts in the face. He looks up to that country. He is anxious to be led by that country when he gets there. He does not go home to teach Indianism, whereas the Englishman comes out here to teach India how to be English.

34506. I do not want to push you too far, but it is a fundamental point as regards our reference. Does it matter very much, from the point of view of the problem you and I are trying to grapple with just now, whether the man is a schoolmaster or a pupil. The pupil looks up to his schoolmaster and admires him. The schoolmaster looks down to his pupil and acquires the schoolmaster's frame of mind. So that the forces are the same, at one time playing one way and at the other playing the other and you get the mental result?—Yes.

34507. I want to find out when the expression "the British tone of the administration" is used, under what special circumstances that phrase is used. I want to get it down to a scientific reality. Now, leaving the educational side out of account, your next view is that personally it is far better for the Indian himself that he should not be forced into a false position?—Yes.

34508. Therefore you want to give him a water-tight compartment where he will be free and an Indian?—Yes.

34509. There are obvious objections to that and I am not going over any that have been mentioned; but supposing by your method you do secure what you say you want to secure, that is unity, not in one Service but in both Services, *esprit de corps* not in a common Service but in two separate Services, by creating a dualism in the Service rather than by trying to obtain a false unity, then you have another problem, the racial problem, the problem of the Indian community—using the word Indian in a very wide sense—asking for a proper place in the administration of the country?—Yes.

34510. Have you thought of this as a possible objection to your scheme, that by dividing the Service into these two wings you are really creating a very great opposition of a racial character which more than counterbalances the advantage which you get from the personal point of view?—I do not think so.

34511. Have you thought of the provisions of the Statute of 1833 in connection with your proposal?—Yes.

34512. Is not your proposal contrary to that?—Possibly it may be.

34513. The Statute says that "No Native of the said territories nor any natural-born subject of His Majesty resident therein shall by reason only of his religion, place of birth, descent, colour or any of them be disabled from holding any place, office or employment under the said Company." It strikes me that your proposal is rather contrary to that?—I do not think so. I think that the Statute must be read with reference to circumstances, and it must be read also with reference to the passing of time. Statutes are not everlasting; they are not like the Laws of the Medes and Persians, irrevocable. Would you have South Africans, Canadians, or Australians in the Indian Civil Service?

34514. That is another question regarding the construction of the Statute. It is doubtful whether the Statute does compel you to have them. I am not here as a lawyer and you are not either. Your opinion is that your proposal is not contrary to the Statute of 1833?—I have not studied it to that extent. It may be, but I do not think it is from what you read to me just now. I confess I have not examined my proposal in the light of that Statute.

34515 (*Mr. Sly.*) I think you told us you had had 16 years' experience at the Bar and 16 years' experience as a Judge?—That is so.

34516. So that you have seen the workings of the Law Courts both from outside and inside?—Yes.

34517. I should like you to tell us whether there is any general public opinion in the Central Provinces in favour of the withdrawal of magisterial powers from the District Magistrate?—Would you mind defining "public opinion," because we have now two public opinions; we have the public opinion of the classes and the public opinion of the masses. Taking the public opinion of the masses I should say certainly not. Taking the public opinion of the small educated minority I should say certainly there is.

34518. Can you tell us from your experience both as a Barrister and a Judge whether you have found that numerous cases of injustice occur from the combination of those functions?—No, I should say certainly not, after careful consideration and attention to the matter and much thought about it.

34519. Particularly with regard to Forest and Excise cases and other cases where the Government Revenue is particularly concerned?—In particular cases of that kind native magistrates are disposed to lean towards conviction, but there is this to be said, that cases of that kind in which Government is the complainant are never started except upon carefully scrutinised grounds. They are not reckless complaints such as private persons make, and therefore even in those cases, I should say, speaking generally, that no injustice exists.

34520. Do District Magistrates ordinarily try original Criminal cases themselves in the Central Provinces?—Occasionally. The number becomes less each year. Owing to our possession of Section 30 of the Criminal Procedure Code his powers can be given to Sub-Divisional Magistrates.

34521. Can you tell us whether your experience shows that District Magistrates abuse their powers of transfer of Criminal cases from one Magistrate to another, or their powers of selecting particular Courts for the trial of particular cases, whether that power is utilised in any degree in order to secure a decision which might not be given if sent to a so-called more impartial Magistrate?—That is a very difficult question to answer because the points of view vary. Is it an abuse of power if a District Magistrate is honestly convinced, from his information of the guilt of some person, of the necessity for a very careful trial of some person, that he should send the case away from the ordinary Magistrate to some particular Magistrate in whose impartiality or ability he has special confidence? If it is, then such cases are common. If you mean that the District Magistrate sends cases to particular Magistrates who are under his thumb in order that they may convict particular persons he wants convicted, then I say that is extremely rare.

34522. Do you think that cases commonly or even occasionally occur in which the District Magistrate interferes with the Judicial independence of a Magistrate subordinate to him trying the case?—Such cases have occurred and have been brought to my notice, but they are very exceptional. I think his interference is more on the general lines of guidance in principles rather than in particular cases. I think also that he is credited by his Subordinate Magistracy, especially the Indian Members of it, with a good deal more desire to interfere in particular cases than he has, and that this has some effect upon their decisions.

34523. Do you think there is good reason why Government should not accede to what you state to be the opinion of the educated classes in favour of the withdrawal of magisterial powers from the Executive officers?—Yes, I think there is.

34524. What in your opinion is the principal ground for that statement?—Because the District Magistrate is the point of contact of the British administration with the people. He exerts that preventive control which prevents worse influences getting to work, that control which English

public opinion imposes upon Judges and Magistrates in England. The Indian public opinion of dislike for crime because it is crime is still an infant in leading strings. If you want the Native Magistrate not to be influenced by caste, by wealth, by public sympathy for the criminal, you must let him feel that he is subject to an impartial criticism, and that he gets from the right kind of District Magistrate.

34525. There is one point I want to touch upon in connection with your scheme for recruitment to the Judicial Service, in which you have suggested that an Indian civilian after two years training in India should be allocated to the Judicial Branch. In that opinion have you taken into consideration that the first two years' service of a European officer in India are largely taken up with study for examinations and other methods of training?—Yes.

34526. And that he begins to acquire his real knowledge and intimate acquaintance with Indian conditions after that period of his training is finished, when he is more closely in contact with Indians in the practical work of an Executive charge?—My answer must be read subject to my other proposals, that all these probationary periods, Departmental Examinations, and so on, must be undergone before the liberties and properties of other people are put into his hands; in other words before the civilian gets to work. Those are the two years I mean, two years of work, not two years of probation.

34527. With regard to the Provincial Civil Service, can you tell us whether as a matter of fact the direct recruitment to a Munsif does or does not at present attract the best material available from the Local Bar?—No, not the best material. It attracts a certain number of graduates.

34528. The best graduates?—I doubt it. It has not been in force long enough to say.

34529. How long has this system been in force under which direct recruitment to the Judicial Service is restricted to the recruitment of Munsifs?—Five or six years, I think.

34530. Do you think that if there was a method of direct recruitment to Sub-Judges you would possibly get better material into the Provincial Civil Service than you do at present by forcing every candidate through the Subordinate Judicial Service as Munsifs?—No, I do not think so. The difference in pay is very small. The Sub-Judge begins at Rs. 300 and the Munsif at Rs. 150.

34531. That is double?—Yes, but what is Rs. 300?

34532. Would you not be in favour of any change in the method of recruitment?—No, I prefer he should start as Munsif and come right up.

34533. (*Mr. Madge.*) Whether your proposals are regarded as useful and accepted or useless and rejected, do I understand you to wish to satisfy the natural and legitimate desire of Indians to serve their country in such posts as they may be advanced to?—Quite so; very much so. I asked myself the question: why do these Indians want to get into the Indian Civil Service and go to all the trouble, and in some cases caste degradation, and the difficulties of going to a cold and foreign country, to do it? *And my answer was because they want to take a share of the higher appointments. Then I thought why should they not get those higher appointments by proper treatment in their own homes instead of being sent to England. That is my desire, however bad my proposal may be.*

34534. With regard to the Statute and the proclamations which declare that a man's race shall be no bar to his appointment to any post, have you ever been asked to believe that those guarantees mean that any man of any race shall be entitled to any appointment to which he and his friends think him eligible, irrespective of methods of recruitment?—Certainly not.

34535. Then why do you say you had not considered the proclamation with reference to your specific proposals?—It was the Statute of 1833 that I was referred to.

34536. I am referring to the guarantee that no man's race shall be a bar to his appointment anywhere?—I have my own interpretation, probably a very faulty one, as to what was meant by the Proclamation of Her Majesty Queen Victoria.

34537. I invite you now to consider it, because as far as I can see not one of your proposals militates against any guarantee?—I said I do not think it does.

34538. In answer to your question (42) you have thrown out an idea which is somewhat allied to one that has been in my mind ever since this Commission started, although it occupies a higher plane, and you can deal with it more ably than I possibly can. That is the idea of securing for the Service the best possible class of Indians that can be got hold of for the Government. But after stating your conditions you arrive finally at qualifications, and this is where I fear there is the missing link. You do not tell us how these necessary qualifications are to be tested. I may tell you that witnesses have been asked whether the Government could not follow on the Civil side what is being done on the Military side, a method which has been advanced to some extent by Lord Curzon's plan of the Cadet Corps. One witness suggested that imitation of the Rajkumar College elsewhere might serve. But most of the witnesses are unable to supply the test for character that we are seeking. You do not suggest how we are to find early in life the kind of man who afterwards shows himself to be a brilliant character and whom everybody wishes we could have got hold of for the Service?—You ask me not only to propose a scheme based on a principle or idea, but also to say how it is to be carried out. I think those are two distinct subjects. I am quite prepared to offer certain proposals, but I do not think I have worked out a scheme in greater detail than was necessary to convince myself it was what seemed to be a proper system.

34539. Do not you see that your advice in this case, which I am disposed personally to consider valuable, is either on one hand a counsel of perfection or on the other something like the definition that describes an Archdeacon as a person who exercises Archidiaconal functions: it leaves us where we are. You cannot help us in any

way?—I think I can. Taking into account my little knowledge of Indian feeling—of course it is possible I happen to be the one person out of the hundred—I should say that class, birth, position, and antecedents, old-fashioned though they are, still have a very strong force in India, and I have no doubt whatever that with a competent Board, in India—making selections of Indians of good family, antecedents, and so on, getting them properly educated and then taking the best of them into the Service by the competitive examination, would enable you to get something very much better than you now get through the open door in London.

34540. Or by any system of pure competition in the country?—Yes, or by any system of pure competition.

34541. The trouble is that there is the risk of such a body making mistakes, or exercising favouritism, or of just missing talent that might be secured in some other way?—But the competitive examination does not remove that difficulty. I have said somewhere else that the passing of an examination is by no means a guarantee for fitness of administration.

34542. But you think the risks on one side are less than those on the other?—You cannot help taking risks when dealing with human institutions.

34543. You have a fear that if there were simultaneous examinations in this country the Service would be flooded with Indians, and by that I understand you to mean more Indians than ought properly to come in?—Unless you have a restriction in the ordinary course of things it must be necessarily so, although perhaps not immediately.

34544. But there is an idea that the standard of education in this country is so much below that of the standard at home that very few would get in?—Then you furnish me with additional argument why you should not have simultaneous examinations. If they are not to help the Indian and he is not likely to get in, then you do not want them.

34545. One witness told us that you would appease public sentiment whether anybody got in or not. I suppose you have nothing to say to that?—Nothing whatever.

34546. Do you think that if such a system existed in this country the effect upon general education would be unhappy, leading to cramming?—If you had simultaneous examinations depending on the marks a man could get, it would certainly be most unfair to ask our Indian fellow-subjects to compete with an English civilian in the European languages, and sooner or later you would get an alteration in the syllabus, having Oriental languages for Indian candidates, and it would be unfair to ask English candidates to compete with Indian candidates in Oriental languages, and accordingly you would get one language set off against another. You would have probably 2,000 marks for the European languages and 2,000 marks for Indian languages. Who do you think would get the most marks considering the field you would have to choose candidates from. In mathematics the Indian has shown an extraordinary capacity for passing. We have had Wranglers, even Senior Wranglers. So that in every way you would get a very much larger class of candidates who were Indians than you would candidates from home, thousands of Indians as against hundreds of Englishmen, with the usual result. Taking it that they are put on equal terms, the proportion of Indians passing would be much greater than that of the Europeans.

34547. Coming to the question of the proposed separation of the Executive from the Judicial, you have actually thought that it might be fixed at two years?—Two years of active work.

34548. You said you thought that was a period of life at which a man ought to choose his future career, but that is only one element in the matter. A man's choice of his career, although an important factor is not the only one; he has to acquire experience which is to prove valuable to him in that career. From that point of view do not you fear that the two years may be too short?—No, because of the peculiar nature of the Judicial work. It is very much more under control and very much more easily put right by Appellate tribunals and tribunals of revision than the work of the Executive. In Executive work a young officer may do a thing that cannot be undone. In Judicial work he may write a wrong judgment which is put right on appeal. He has six years as Subordinate Judge after that.

34549. So that he gets educated by vivisection?—Yes.

34550. You have attached some importance to the candidates for the Civil Service coming out after some training in Law?—Yes.

34551. Has it occurred to you that the Laws of most countries reflect a good deal of the local influences, and that it might consequently be a greater advantage to have a civilian come out here and study Indian Law than stop at home and study English Law?—A greater part, the statutory part of it at all events, of Indian Law is entirely derived from English Law. Our Acts on equity, on the transfer of property, our Criminal Procedure, our Civil Procedure, Contracts, and many others are founded on English Law. For instance, the Courts lay down that where there is no Indian Law of Contract the Court must follow the English Law. Therefore a judicial candidate must be taught those principles. Then our Law of Evidence is almost entirely based on English principles with local modifications. Those principles must be therefore taught, and he can learn them best in England. He must begin young.

34552. There is no doubt that there is a certain amount of similarity in both Laws, but do you not think that many fundamental principles underlying Indian Laws are essentially Indian?—Only in Hindu and Muhammadan Law.

34553. Not the Penal Code?—Yes, as to the offences. The offence of being a Thug for instance; there is no such thing in England, but when you try a Thug you try him on English principles of evidence.

34554. But even with regard to the Criminal Procedure Code, do you not find Indian conditions which are not in harmony with English conditions?—Yes. For instance, the very large

Appellate powers, which is a very necessary thing in India.

34555. You have referred to the position of the domiciled Europeans and Anglo-Indians in this country. May I take it that underlying that consideration was the fact of their heredity which differs essentially from the Indian heredity?—

34556. You make no comparison beyond recognising the difference?—That is so.

34557. Do you think it possible that, under favourable conditions, in the best European schools there may be a reversion to the British type of character on the part of Europeans and Anglo-Indians who have never been home?—It takes place every day. There are hundreds of Europeans born and bred in this country.

34558. You have come across men who might be placed by the side of Englishmen and who in all respects had all that was necessary to make a good administrator?—Yes, absolutely in every detail. I am intimately acquainted with a Eurasian gentleman who was a General Officer commanding a force, and in all respects an Englishman.

34559. You have also been referred to the attention due to the claims of educated Indians on political grounds. You have doubtless also considered the weight due on purely political grounds to the needs of the great masses. Do you think that the real interests of these two classes, the educated few and the great body, run in precisely the same direction?—No, they do not.

34560. To which do you atttach the greater importance?—Naturally to the majority.

34561. And you think that a responsible government is bound to consider that fact in all its bearings?—I think that will be admitted everywhere.

34562. Although in some respects it cannot cover all the ground?—I think that may be taken, but I do not mean that you are to neglect the educated classes.

34563. (*Mr. Standen.*) You told us that the arduous character of the work in the Judicial Department has not infrequently broken down the health of Judges. Do you think that the unfavourable leave rules have any contributory effect?—I am afraid I cannot speak with any great authority as I have never made a study of the leave rules.

34564. Can you tell me whether Judicial officers take leave as often as Executive officers, especially in the Subordinate Service?—No, because they do not get privilege leave on the same terms. They get an annual vacation which, with great respect for what another witness said here, is of very little use. They do not get privilege leave on full pay, except the District and Sessions Judges.

34565. I was talking mainly of the body of the Subordinate Service?—They do not take leave as much as the Executive people.

34566. As regards the young civilian on the Magistrate's Bench, can you tell me what classes of cases he generally tries at first?—The ordinary cases of a third class Magistrate, petty assaults, and sometimes a few Police cases and sometimes Municipal cases. They are quite petty cases, but he is fairly quickly moved up to second class Magistrate.

34567. Would it be true to say that his practical training is conducted at first with the least possible expense to the public?—Yes, I think that would be true. I think every effort is made to do the best possible under the circumstances for him.

34568. (*Mr. Thakur.*) You refer to the slow promotion and low pay?—Yes.

34569. An officiating Munsif begins at Rs. 125 and only rises to Rs. 200, by increments of Rs. 25 a month, do you think that is suitable pay for such an officer?—I have already said that it is not. I think it should be increased by at least 50 per cent.

34570. In the higher grades of the Service, from Rs. 500 upwards, is the promotion at Rs. 100 sufficient, or do you think there should be only three grades between Rs. 500 and Rs. 1,000?—There is the financial consideration of the question of supply and demand. If you can get good men for promotion, it is sufficient, but if you cannot it is not sufficient. I am not able to answer that question.

34571. You say that the pension rules at present are unsatisfactory. Do not you think there should be an option for a man after twenty-five years' service to retire with a pension?—I should be in favour of that proposal.

34572. Referring to the listed posts now open to the Provincial Civil Service your proposal is that only 2 per cent. of the 15 per cent. to be given to the Imperial Service will be open to the Provincial Civil Service?—Roughly. I am personally against any hard and fast allotment. If any hard and fast rule is necessary I would apportion such posts themselves. I would, however, prefer to leave the question of all details in such matters to be regulated by the Local Governments of each Province, with due consideration to the conditions of that Province.

34573. May I take it that if the number of posts now open to Indians are curtailed under your proposal, you would consider it an undesirable result?—Yes, so far as this Province is concerned.

34574. This estimate you have made of 15 per cent. is a somewhat rough one?—Yes.

34575. What would you say if the percentage is raised to 20 or 25 per cent., considering that at present it is open to them to enter the Civil Service by the open competitive examination and get listed posts also? At present we have one-sixth of the listed posts which work out a percentage of 16·6 and the competitive examination, and both taken together obviously give a much larger percentage than 15. You have no desire to curtail that?—No, not to curtail anywhere, but not to increase.

(The witness withdrew.)

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Written answers relating to the Indian Civil Service.

34576. (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—Yes, I accept the system of recruitment by open competition as generally satisfactory in principle. It is sometimes argued that success in a literary examination does not necessarily connote the qualities which are required for success in administration. The reply to that is that open competition has had a very long trial and has on the whole stood the trial well. The theory on which the examination rests is that the competitors by virtue of their British character and British training will possess the qualities required for successful administration, and the theory is justified by the practical results obtained. Between the candidates possessing a British character and a British training the literary examination will give weight to superior ability, and success in the examination itself implies the possession of considerable grit and character.

34577 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—I have no suggestion to make.

34578 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The system as already explained is based on the theory that the competitors will be endowed with certain qualities required for successful administration. The examination itself does not provide a test of these qualities except in so far as success implies the possession of powers of industry and application. For "Natives of India" therefore the examination is only to this extent suitable, that it necessitates some portion of their education and training taking place in England. From the point of view of "Natives of India" and other natural-born subjects of His Majesty the system is not so suitable, insomuch as it involves the expense of attending the examination in London. But this objection carries no weight to my mind, as I hold the retention of the examination in London indispensable for the maintenance of the British character of the Service, and as a guarantee of the efficiency of the Service. Although the admission of Natives of India is not absolutely consistent with the theory of the examination, practically no great harm is done, and I consider it undesirable to make any change at present.

34579 (4). Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?—No. I do not consider any differentiation desirable. I am not aware that any differentiation has been asked for.

34580 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I have no reason for thinking that the combination is disadvantageous to Indian interests. On the other hand I consider that the combination is likely to secure a larger number of candidates of the best quality and is therefore likely to be of advantage to Indian interests. The combination also provides some test of the popularity of the Indian Civil Service.

34581 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(*a*) Selection by headmasters of schools approved or otherwise; (*b*) selection by authorities in Universities approved or otherwise; (c) nomination by headmasters or University authorities and selection under the orders of the Secretary of State; (*d*) combined nomination and examination; (*e*) any other method?—I have been unable to accept any scheme for selection or nomination as satisfactory, and it is, I think, unnecessary for me to adduce all the arguments that could be brought against the various schemes. No Board of Selection can say how men are likely to turn out as administrators any more than advocates of eugenic theories can foretell the future of babies. It is possible that a few unsuitable men may be drafted out to India, but their case can be met by the rules for the retirement of inefficient officers. The only practicable suggestion that I can make is that heads of colleges should be persuaded to interest themselves more in sending up their best men for the examination. But to secure this it is necessary that some definite assurance of a career be given and that this should not as at present be left entirely to chance.

34582 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am strongly opposed to any system of simultaneous examinations. The burden of proving the necessity of a change lies on those who press for the change, and in my opinion no case has been made out. Nor do I agree that the best Indian opinion is in favour of the change. The only possible object in pressing for simultaneous examinations can be to increase the Indian element largely in the Administration, and I agree with the *Statesman*, which writes: "It is the conviction of many educated Indians who take a sober view of the present conditions of their country that the element of highly-paid European supervision is necessary in the general administration; they recognize that the immense progress which has been achieved in every direction is the outcome of

British ideals applied with British energy and a British sense of duty." I can add little to the arguments which have already been brought with great force against the proposal, but I might summarize them as follows:—(*i*) It would involve the abandonment of the principle that the British character of the administration must be maintained. I cannot believe that it would be possible for a number of Indians, westernized or otherwise, to maintain that character. If the attempt were made the result would be chaos. (*ii*) There is nothing in the present system which violates the Statute of 1833 or the Queen's Proclamation. (*iii*) The cause of real education would be damaged. A number of cramming establishments would be forced into existence which would have a deleterious influence. (*iv*) Unsuccessful competitors would form a new class of 'failed I.C.S.' and would constitute a dangerous nucleus of discontent. (*v*) The examination would exclude the more virile races, and the monopoly of posts by one or two classes would give rise to grave dissatisfaction. (*vi*) The actual result would not be an addition to the *corps d'élite* but the creation of a privileged Indian Service with higher privileges than the Provincial Service but recruited from the same classes. Such a Service would ruin the efficiency of the Provincial Civil Service. (*vii*) There would be no resulting economy, as Indians themselves admit that they would not be content with smaller emoluments. (*viii*) The assumption that the necessity of going to England for the examination is a serious obstacle to intending candidates from outside the British Isles is not admitted—witness the large number of Indians who go to England for the Bar and for the Medical profession and for other purposes. (*ix*) There is absolutely no doubt that the prestige of the Indian Civil Service would be seriously impaired and the administration would lose in efficiency—a consummation which, I am convinced, would be deeply regretted by all the saner minds of India who regard the Indian Civil Service—holding, as it does, a position of impartiality above all sects and dispute—as one of India's most valuable assets.

34583 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—No. London as the capital of the Empire is the most suitable centre.

34584 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I am opposed to this proposal. I do not consider that the system of competitive examination is suited to the conditions of India, and I am of opinion that the best method of recruiting Indians into the higher appointments is by selection from the Provincial Service. The Indians recruited by separate examination in India, even if they drew the full pay of a civilian, would in fact only be a superior privileged Provincial Service. I agree with the opinion already expressed that the proposal, when analysed, really means the curtailment of the field of the Provincial Services in order to provide certain of the Provincial Service class with pay which is a good deal higher than is necessary to attract them to the service of Government.

34585 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that, whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—I am not in favour of any of the proposed systems. The desirability of giving representation to all classes and communities should not be taken into consideration in connection with the Indian Civil Service, which is a *corps d'élite* based entirely on efficiency and the maintenance of the British character of the administration.

34586 (11). If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—Not required.

34587 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India" as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—Not required.

34588 (13). Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—No, I do not recommend any separate method of recruitment for the judicial branch. I agree in this matter entirely with the evidence given by Sir Arnold White and Sir Henry Carnduff. Provided the civilian receives a proper training he is likely to make a better judge as the result of his knowledge of the country, especially of rural conditions. A large proportion of the administrative work falls to the lot of the civilian judge. No change should be made on theoretical grounds. Are there any practical inconveniences attached to the present system? I do not know of any which are not being removed by the more adequate training now given to civilian judges. There is no dissatisfaction in this province, so far as I know, with civilian judges; on the contrary, they are respected both by the general

public and the Bar. The disappearance of all judicial appointments would lower the attraction of the Indian Civil Service, and the new service would also rank much lower in general estimation.

34589 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—Yes, I am satisfied with the definition. Persons of mixed European and Indian descent and of unmixed European descent are as much entitled to be classed as "Natives of India" as Parsis or indeed any Indian community. If they are not given the privilege of "Natives of India," to what country do they belong?

34590 (15). If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—I am aware that there is a considerable feeling among members of my own service that the age-limits for the competitive examination should be above 18 and below 20 at the date of the examination. There are many advantages in this age-limit. A large number of men whose means do not enable them to continue their education on the chance of success in the competitive examination are excluded at present. Men who arrive in India at an age not exceeding 21 or 22 are also more easily trained and more amenable to discipline. They will fill responsible posts while they are young and energetic and are not likely to be so discontented with their promotions. I recognize the strength of these arguments, but I consider those in favour of the higher age to be the stronger on the whole. They will reach India older, more mature and more fit for responsible work; they will have completed their general education and are likely to be steadier and more self-controlled Subject to the condition that men are enabled to take a complete Honours course at the University, I think it important that they should start work in India at as early an age as possible and that the minimum of opportunity should be given to the crammer. I would therefore reduce the age to 23 (on 1st August), which would, I understand, normally enable men to appear after taking a full Honours course. I would strongly deprecate fixing an age intermediate between the normal school-leaving age and the completion of a University course, as the result would be to drive men to the crammers.

34591 (16). What is your experience of the relative merits of the candidates selected under varying age-limits, particularly under the system in force from 1878 to 1891 (age-limits 17-19 years, followed by two or three years' probation at an approved University) and since 1891 (age-limits 21-23 or 22-24 years, followed by one year's probation)?—I hardly consider myself competent to express an opinion on a matter of this kind, but if these invidious comparisons are to be made, I must record my vote in favour of what Sir Henry Carnduff has called "the finished University product." Taking the average, I do not think that there is much to choose between the two lots of candidates.

34592 (17). What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—I am not sure what period of recruitment is referred to, and as I am a comparatively recent recruit myself (13½ years' service) I give my opinion with diffidence. I have not noticed any deterioration among recent recruits, and in this I am supported by the observation of Sidney Low, who in his *A Vision of India* writes: "So far it does not seem that the new system has filled the Indian Civil Service with 'bounders' or weaklings, or with persons too unpolished to hold their own in the cultured society of an Indian Cantonment."

34593 (18). What is the most suitable age at which junior civilians should arrive in India?—The members of my Service generally are of the opinion that civilians should ordinarily reach India at an age not exceeding 21, which might be extended at the maximum to 22 in order to permit of a second year's probation in England. I am myself inclined to think that 24 is a better maximum.

34594 (19). What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India," and for other natural-born subjects of His Majesty?—I am informed by my Indian friends that the present age is suitable for Natives of India. The matriculate age is 16 and the degree of B.A. is taken at about 20. A candidate can then claim a scholarship on the strength of his University career and can go to England for his training. No differentiation is recommended.

34595 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the objects should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well educated young man of the period?—In regard to this question I would record my agreement with the views expressed by Sir Henry

Carnduff and would go the length of making law a compulsory subject at the open competition. Every civilian during the greater part of his career is immediately concerned with the administration of law, and it is essential that he should have from the outset a sound grasp of at least the elements of law and its first principles. This proposal may be regarded with disfavour by the Universities, but if their resistance can be overcome I feel confident that the Civil Service will benefit by the innovation. I am not prepared to recommend any definite text-books.

34596 (21). Please examine the table in Appendix I to these questions, which shows the various phases of the authorised syllabus of the open competitive examination, and state what changes, if any, are in your opinion desirable, differentiating between the cases of candidates (*a*) of school-leaving age and (*b*) of university-leaving age?—I have no changes to suggest.

34597 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons?—No, but it may be pointed out that there is some differentiation at present, since Sanskrit and Arabic are practically never offered except by Indian candidates.

34598 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54. [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.]?—I consider that it is desirable that the posts described in the Schedule of the Indian Civil Service Act of 1861 should continue to be reserved for the Indian Civil Service. At the same time I think it necessary that Schedule II of that Act should be amended so as to include posts of the same class in the non-regulation provinces which are at present included in the scope of the Act only by the administrative orders contained in the Secretary of State's despatch No. 81 of 1876. I consider that this statutory reservation of posts is desirable because (*a*) it is necessary not only to maintain but formally to declare the predominance of the British element in the administration; (*b*) unless the prospects of the service are guaranteed it is difficult to see how recruits are to be attracted.

34599 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service Cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—If the British character of the administration is to be maintained, it is, I think, obvious that the number of Europeans employed in the higher posts should not be allowed to fall below a recognized minimum. In this connection I attach the greatest importance to the views expressed on behalf of the commercial community. India is on the eve of a great industrial expansion, and any measures calculated to alarm capital would cause a serious setback to the progress of the country. The inarticulate masses of India deserve some consideration as well as the small articulate section of the educated classes. I might here be permitted to quote the opinion of Lord MacDonnell, himself a Liberal in politics, expressed in April 1912 at a meeting of the Indian Section of the Royal Society of Arts. "The Central Provinces were still peopled by a homely race and the vast mass of the people were still in a very backward state of national development; and they naturally, as in other Provinces—and he hoped it would long continue to be so—looked to the district officer and the officials of Government as their best advisers and protectors in difficulty and adversity. We were living very fast in these times, but it might be possible to live too fast in matters of that description. The prestige of the English officer among the people of India still lived, and although it was right and proper that to the educated Natives of India larger spheres of activity and higher employment should be given, England must be prepared, if that policy was carried out, for a less efficient Government in India than she had hitherto demanded. She must remember that Englishmen—from the training they received in India, when brought face to face with conditions of life calling for self-reliance, resolution, readiness to meet emergencies as they arose, determination to maintain law and order at all costs, and the firm resolve to administer the law with perfect impartiality to all people—had imprinted on the administration the character which England had up to the present demanded. If such Englishmen became scarce, the same resolute action, the same freedom from local ties, the same degree of impartiality, could not be maintained in the administration. The men who would replace them would themselves be resolved and determined to act up to the lessons which they had learnt from their English colleagues, but there would not be for many years to come that freedom from influences and that impartiality which had always been the mark of the Englishmen in dealing with the Natives of India." While, however, it cannot, I think, be seriously doubted that a preponderating English element is necessary in the higher Services so long as the Government of India is English, the question of fixing a proportion is not at present of practical importance and will not arise until there is a serious danger of Indian candidates recruited in England ousting European candidates. We can leave posterity to settle its own problems.

34600 (25). Do you accept as generally satisfactory in principle the present system

under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54)? Do you recommend any alterations in this system, and, if so, what?—I accept the system as generally satisfactory in principle. But as regards the listed posts I would suggest the following modifications:—(*i*) The number of Indians holding listed posts should be regulated by the number admitted to the Indian Civil Service. The limitation of the number of listed posts is based on the assumption that it is necessary to preserve a minimum British element in the higher posts, and it is illogical not to take into account the proportion of Indian members of the Indian Civil Service. The increase in the latter is not likely to be so large as to make the scheme unworkable, and the Provincial Service can be compensated by improved grading. (*ii*) Instead of laying down a minimum which may be held by Indians I would lay down a maximum. The prescribing of a minimum is likely to render the selection of Indians up to that minimum compulsory, irrespective of whether suitable candidates are forthcoming. (*iii*) I think an endeavour should be made to select Indians for listed posts at a much earlier stage of service than at present. I am not prepared with a cut-and-dried scheme, as the matter is a complicated one, but I believe the Provincial Service would be gratified by the creation of a special list of probationers for listed posts. (*iv*) I wish strongly to emphasize the fact that no addition to the listed posts should be made till the vested interests of all members of the Indian Civil Service recruited against those posts had been satisfied.

34601 (26). Give a list of the "Natives of India" now serving in your province who were recruited to the Indian Civil Service by means of open competition in England, stating in what year they were admitted, in which posts they are now serving, and their present rate of salary—(*1*) P. S. Patuck, 1898, Officiating Deputy Commissioner of Wardha, Rs. 1,300. (*2*) G. A. Khan, 1899, Officiating Deputy Commissioner of Khandwa, Rs. 1,233. (*3*) C. B. N. Cama, 1903, Additional Sessions Judge, Akola, Rs. 1,166. (*4*) B. N. De, 1906, Officiating Assistant Commissioner, 2nd class, Rs. 700. (*5*) G. V. Bewoor, 1912, Assistant Commissioner in training, Rs. 400.

34602 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?—No, it opens the door to favouritism and there is no demand for its revival.

34603 (29). What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your province? Please distinguish in your reply between (*i*) military officers, and (*ii*) others; and give details of the latter.—(*i*) *Military Officers*—Colonel Colomb; Colonel Horsbrugh; Colonel Manduit; Major Morris; Major Plowden, are all members of the old Berar Commission still in the service. (*ii*) *Others*—(*a*) Mr. H. R. Crosthwaite, specially appointed to the Central Provinces Commission by the Secretary of State in 1900.

(*b*) Mr. F. W. A. Prideaux (*c*) Mr. A. C. Currie (*d*) Mr. F. C. Crawford (*e*) Mr. A. D. St. Barr	members of the old Berar Commission.
(*f*) S. Muin-ud-din Khan (*g*) K. S. Jatar	Indian members of the old Berar Commission.

34604 (31). If the system of recruiting military officers in India has been stopped, or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent should it be adopted?—No, I would not advise its re-introduction. The administration is daily becoming a more difficult and complex matter, and a trained mind is required to deal with the work. The patriarchal system of administration in which military officers excel is dying out. The present system of recruiting provides suitable officers and there is no need to tap any other source.

34605 (32). Do you consider that such a system should be restricted to the recruitment of military officers or extended to the recruitment of selected officers from other Indian services?—Not required.

34606 (33). Please now refer to the rules, dated 26th August 1910, made in exercise of the powers conferred by section 6 of the Government of India Act, 1870 (33 Vict., c. 3), and reproduced as Appendix IV, and to the statement in Appendix V to these questions, showing the number of offices, places, and appointments, commonly known as listed posts, ordinarily held by members of the Indian Civil Service, to fill which it has been declared that members of the Provincial Civil Service can properly be appointed; and say whether the figures given are correct for your Province?—No, the figures are quite incorrect. The listed posts are really 2 Deputy Commissionerships; 2 Divisional Judgeships; 2 Deputy Commissionerships or Divisional Judgeships. Two Assistant Commissionerships cannot be listed—the phrase is meaningless: under the scientific system of recruitment the number of Assistant Commissioners is fixed solely with a view to the number of superior appointments open to Indian Civilians. The figures given for the listed posts above are not final as I believe that the whole question is under consideration.

34607 (34). Are all the posts thus listed ordinarily and regularly filled by "Natives of

India"? If not, please state for the last five years to what extent there has been any failure to work up to the authorised list, and explain the reasons?—All the listed posts have always been filled by "Natives of India" except for very short periods, when it was found more convenient to put in members of the Indian Civil Service. The balance of advantage is in favour of the Provincial Civil Service as a member of that Service occupied for some time a post reserved for the Indian Civil Service.

34608 (35). To what extent also during the last five years have these listed posts been filled (*a*) by members of the Provincial Civil Service; (*b*) by other "Natives of India"? Please give the names and positions of the latter, if any?—During the last five years the listed posts have always been filled by members of the Provincial Civil Service.

34609 (36). Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilised and in what directions?—This power has not been regularly exercised, but Mr. H. J. Stanyon was appointed to the listed post of Divisional and Sessions Judge in 1897. There are now six listed posts, but three of them belonging to Berar cannot be filled by non-members of the Commission till the retirement of Messrs. Rustomji, Muin-ud-din and Jatar. The three Central Provinces posts are now held by Provincial Service men and the three-fourths rule precludes their being given to any other "Native of India."

34610 (37). Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction (*a*) to the members of the Provincial Civil Service; and (*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?—The merging of the inferior listed posts in the Provincial Civil Service has satisfied to a great extent the aspiration of the educated classes to share in the administration of the country. It is in accordance with the recommendations of the last Public Service Commission that the recruitment of the official staff in England should be curtailed and advantage taken of qualified agency obtainable in India.

34611 (38). Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—The listed posts are, I believe, under consideration and no definite pronouncement has yet been made. My opinion on the general question is as follows:—The administration of a province offers a close analogy to the management of a large business; and if it is the fact that in commerce and industry, where race sentiment counts for little, competent European supervision is considered essential, it is only reasonable to suppose that this element is even more necessary in the general administration of the country. I desire strongly to emphasize the fact that an Englishman has much more power of controlling subordinates than an Indian. I would also draw attention to the existence in this province of a considerable number of aboriginal races, and as regards the success of Englishmen in dealing with such races. I might quote Lord Cromer, who in his "Ancient and Modern Imperialism" writes as follows: "My own experience leads me to the conclusion that the British generally, though they succeed less well when once the full tide of education has set in, possess in a very high degree the power of acquiring the sympathy and confidence of any primitive races with which they are brought in contact." Assuming the retention of the system of listing posts I am strongly of opinion that a larger proportion of the listed posts should be in the Judicial than in the Executive branch of the Service. The greater aptitude of Indians for Judicial than Executive work is generally admitted, and however good a man he may be, an Indian cannot, as Head of a District, command the same influence as an Englishman. He is liable to be brought into contact with members of other services such as the police, forests, public works, and he finds himself in a false position. The loyalty and discipline of the various services prevent real unpleasantness as a rule, but the strain is very great. I regret very much that I should have to draw attention to this aspect of the matter, but I think it important that it should not be lost sight of. I am also absolutely convinced that the governed—both the educated classes and the cultivators—far prefer to see an Englishman at the head of the District, and I consider it not unreasonable that some weight should be given to that feeling even if it is proved to be an unreasonable and illogical feeling. I hope that these remarks will not in any way be interpreted as reflecting on the capacity of the Indian members of the Indian Civil Service who are in charge of Districts, especially as in this particular case the Indians happen to be friends of mine. But they themselves would be the first to admit—though I trust the question will not be put to them—that they are to some extent handicapped by virtue of their nationality. To come now to actual figures, there are I believe 46 superior posts in this province, and I understand that this number is likely to be raised to 52 by the revision of the Judicial posts. There are five Indian members of the Civil Service, three of whom are already occupying superior posts and another will soon reach that stage. I would fix 20 per cent. as the maximum number of superior posts which could be held by Indians, whether recruited from England or appointed in India. Giving the Indians the benefit of the fraction, the number of posts open to them would be 11 out of 52. I would allocate these posts among the executive and judicial departments as follow:—4 Deputy Commissionerships and 7 Judgeships. The

local Administration will distribute the Indian members of the Indian Civil Service in such a way as to leave a fair proportion of both executive and judicial posts to the Provincial Service. The drawbacks to this scheme, it may be urged, are (*a*) that it will offend the Indian members of the Indian Civil Service by making their appointments to a particular branch depend on racial considerations, (*b*) that an increase in the number of Indian members of the Indian Civil Service will necessitate a decrease in the number of posts open to the Provincial Service. I recognize the weight of both these objections, but I think my scheme will meet the practical needs of the moment and if worked tactfully can cause no offence. I must also point out that 20 per cent. is a very liberal figure and goes beyond the recommendations of the last Public Service Commission, whose proposals were designed to secure the necessary elements of finality. I would also suggest that the Royal Commission should make it unmistakably clear that this is the last word on the subject, and that no further advance will be made. Any advance would, in my opinion, be inconsistent with the maintenance of the British character of the administration.

34612 (40). Please now turn to the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54), which will be found in Appendix II to these questions and say how many "Natives of India" have been appointed permanently to posts in your province under its provisions during the last five years, giving names and the nature of the posts so filled?—None so far as I know.

34613 (41). Are there any other ways in which "Natives of India" are appointed to your province to Civil Service posts? If so, please give details of the same?—Not so far as I know.

34614 (42). Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—The only point which I wish strongly to emphasize is that some definite assurance shall be given to every recruit to the Indian Civil Service that not a single one of the posts on the basis of which he was recruited shall be given away to any other department till his vested interests have been satisfied. I must draw the attention of the Commission to the fact that considerable alarm prevails among the junior ranks with regard to this question.

34615 (43). What is your experience of results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of the system?—I recommend the continuation of the system.

34616 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—(*a*) I have recommended only a slight alteration in the present system, and I consider that one year's probation is required. Men of 24 are tired of training and are keen to get to work.

34617 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—Yes, I consider this most desirable. I have never heard any member of the Civil Service question its desirability.

34618 (46). If so, do you advise the selection of one or more Universities for this purpose and for what reasons?—If it could be arranged I should prefer that all probationers should be concentrated at one University for their period of probation, and should be brought together as much as possible. It is important that probationers should have their attention concentrated on Indian interests as rapidly as possible and should leave behind them their separate college interests. The selection of the University constitutes the practical difficulty in the way of carrying out this arrangement and I am afraid it will be difficult to overcome. Like Sir Arnold White, I attach great importance to residence at Oxford or Cambridge as these Universities provide a more bracing intellectual, moral and social atmosphere than any other type of University. Probationers who came from the younger Universities have frequently expressed their appreciation of the great benefits derived from their year's residence at Oxford or Cambridge.

34619 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—I recommend that a probationer should receive £150 a year and a first-class passage to India. The allowance should be paid quarterly subject to certificates from the University authorities that the probationer is making suitable progress in his studies.

34620 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—No, I hardly think the expenditure could be justified.

34621 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—Yes, I accept this principle for candidates who pass the examination after completing a University course. But for the candidates of a younger age the period of probation should

allow both for the completion of their general education and for the special studies suited for their career in India.

34622 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you?—(*a*) What an officer ought to be equipped with on his first arrival in India are, in my opinion, the following:—(*i*) A familiarity with the working of the English Law Courts. (*ii*) A grounding in the grammar of languages of the province to which he is posted. (*iii*) Some acquaintance with Hindu and Muhammadan Law. (*iv*) The power to find his way about the Penal Code, the Criminal Procedure Code and the Evidence Act. As regards (*i*) this can be secured by requiring attendance at Law Courts and reporting of cases. I am strongly of opinion that this training will be most beneficial to the probationer. (*ii*) Probationers should be posted at once to the Central Provinces, which should no longer be lumped together with the Punjab and United Provinces. The grounding should be in Marathi and Hindi. (*iii*) I would make Hindu and Muhammadan Law a compulsory subject and the examination should be without books. (*iv*) I would change the examination in the Codes to a simple one with books. A parrot-like acquaintance with these Codes is of no practical value and they can only be learnt in India by practice in the Courts. I have made these suggestions on the assumption that my proposal to make law a compulsory subject in the open competition is adopted. I trust that the curriculum suggested is not too heavy. I must sound a note of warning against the danger of overworking probationers, who should arrive fresh and not stale in India. Men embarking on an Indian career have much to do during their last year in England and I think they may be left to read Indian History and Political Economy for themselves.

34623 (52). In particular, please state your opinion as to the desirability during the period of probation of (*i*) compulsory attendance at Law Courts in England and reporting of cases; (*ii*) the teaching of Indian Law in addition to the general principles of jurisprudence; (*iii*) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (*iv*) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts?—(*i*) See answer to question (51). (*ii*) I agree as regards the teaching of Indian Law, but the general principles of jurisprudence should fall under a compulsory subject in the open competition. (*iii*) I am strongly of opinion that the foundations of a knowledge of the Indian languages should be laid in England, but no very serious attempt need be made at colloquial instruction. I do not think that (*iv*) is necessary, as probationers must not be overworked.

34624 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—I am strongly of opinion that the probationary period must be spent in England. The fact must not be lost sight of that it is possible for a man to go to England for the examination without any preliminary residence or training in England. I must also note that it is undesirable to ship off a probationer to India immediately after he has undergone the strain of a severe examination. Some period for rest and preparation for his new career is required.

34625 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—I am absolutely opposed to this. I consider that the time, though perhaps not entirely wasted, could at any rate be much better spent. It must be remembered that the average Indian civilian will spend not more than 21—25 years in active service in India, and I consider that every moment deducted from that period involves the loss of opportunities of acquiring valuable practical experience. I consider it essential that every young civilian should acquire as soon as possible an insight into rural conditions in India, and this he cannot do in a large centre. Time spent in Calcutta, for instance, might, in my opinion, be just as well spent in London.

34626 (55). What is your opinion of a proposal that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—For the reasons given in answer to question (54), I am absolutely opposed to this. Too much training may create philosophers, but will mar the practical administrator.

34627 (56). In the report of the Treasury Committee appointed to consider the organisation of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—This is a subject in which there is some diversity of opinion, but I am myself in entire agreement with the view of the Treasury Committee. I am convinced that arduous study in the plains of India is quite impossible except to a very few exceptional men, and I doubt whether any suitable scheme could be devised. As regards law, if

my suggestion to make it a compulsory subject at the open competition is adopted, junior civilians after their year of probation should arrive in India with a fair equipment. As regards languages, I consider that the thorough grounding which is an essential preliminary to the acquisition of any real knowledge of a language can best be acquired in the more scholarly atmosphere of England. I attach great importance to this grounding. What will subsequently be built on this foundation depends largely on the officer's personal tastes.

34628 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend? —No differentiation is required.

34629 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—On the whole, I consider that the present arrangements are satisfactory. Much attention has been given to this matter of late years in these provinces. Men are kept for a few weeks at head-quarters to enable them to get an insight into Indian conditions and are then sent to a selected Deputy Commissioner who is aware of his responsibility for their training. I must draw attention to the fact that men of 24 are no longer schoolboys and are anxious to get to work. In my opinion the best way to train a man is to put him to work as quickly as possible. I am sure that the average man after his years of training and examination derives an acute pleasure from the first practical work he is given to do, however simple it may be.

34630 (61). Is the existing system of Departmental examinations suitable, and if not, what change do you recommend?—Yes, the examinations have been changed from time to time, and I consider them now to be fairly suitable. The directions in which I should like to see further change are—(*a*) the elimination of all law examinations in which books are not allowed. All that is required is to see that candidates are able to find their way about the codes. No officer would work without constant reference to the codes and the committing of sections to memory is, in my opinion, an absolute waste of time, and prevents an officer devoting to languages the time they really require. (*b*) The raising of the standard of the language examinations. There should be two standards. The lower standard should be 50 per cent. and the higher standard 75 per cent. of the full marks assigned to each paper. No increment in pay should be given till the Higher Standard had been attained in one language. Four years should be allowed for attaining the Higher Standard in both examinations. No increment in pay should be given after four years till both languages had been passed.

34631 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—I am not prepared to admit the alleged deterioration, and I consider that the cry proceeds largely from that tendency to glorify the past which is so common. In this I am supported by Mr. Sidney Low, who in his book *A Vision of India* writes: "One is often told that the latter-day civilians are not nearly so well acquainted with the vernacular as their forerunners. But the suggestion is probably quite unwarranted. The older civilian had a rough knowledge of the colloquial speech of his province, picked up from his servants and his Native subordinates, but he had seldom studied the language accurately and grammatically as the young officials are now compelled to do." I do not, however, maintain that European members of the Civil Service possess an adequate knowledge of the language. The most urgent remedy in connection with the Central Provinces and Berar is that an officer should be immediately posted to this province after passing the open competition. He will then be able to get a thorough grounding both in Hindi and Marathi, before he reaches India. My own time was wasted in learning Urdu and Persian. After arrival in India the officers under whom the young civilian is posted should be made responsible for his continuing his literary study of the language and acquiring a colloquial knowledge. An increment in salary should only be given on condition of passing an examination in one of the two languages, Hindi or Marathi. For the second language I would allow four years, and after that time I would stop all increments of salary till both languages had been passed. The local Administration must be responsible for seeing that an officer is posted to a district in which he has an opportunity of learning the language.

34632 (63). Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and, if so, what changes?—To encourage the study I recommend (*a*) the provision of a proficiency grade less stiff than the present High Proficiency Standard, (*b*) the increase of rewards, (*c*) the grant of language leave.

34633 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe and, if so, what course of study (course for a

call to the Bar, reading in Barristers' chambers or other), and what conditions do you propose?—I agree entirely with the opinions expressed by the Bengal witnesses, Sir H. Carnduff and Mr. H. T. Cullis. At the same time I must point out that in this province officers selected for the Judicial branch are now given a very good practical training before they are appointed District Judges. I would make the following recommendations: (*i*) I would make law a compulsory subject at the open competition and would allot high marks to a further and more advanced optional paper in it. (*ii*) I would encourage probationers to be called to the Bar. (*iii*) Officers should be selected for the Judicial branch after four years' service in the general line. (*iv*) They should then be appointed sub-judges for a year to deal with original civil work. (*v*) They should be granted study leave for one year to read in Barristers' chambers; they should also be required to read for the Bar, since membership of the Bar is a distinct advantage to a Judge in his relations with Indian barristers. (*vi*) They should be given substantial pecuniary assistance in order to go through this course. I am not prepared with a detailed scheme.

34634 (65). Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—No, in India the best training is the practical work of the courts combined with such private reading as time permits.

34635 (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals?—No, they should be treated exactly alike.

34636 (70). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No, they should be treated exactly alike.

34637 (72). The present theory underlying the conditions of service in the Indian Civil Service is that (*a*) the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem*, is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—I accept this system. It is the very basis of the organization of the Civil Service and should not be lightly tampered with. I consider that the period of eight years is suitable, but with the present age of recruitment it should be regarded as an absolute maximum. An officer at the end of eight years' service will have reached the age of thirty-two or thirty-three. It is hardly necessary to argue that India is essentially a young man's country and all the most successful administrators have been young men. I believe that this is also the experience of commercial houses that the best work is got out of men between the ages of thirty and forty-five. If the age of recruitment were lowered I would make no change. Eight years affords ample time for training in subordinate posts, and retention too long in subordinate posts has a marked effect on an officer's initiative.

34638 (73). It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior posts," and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?—The time-scale suggested by me is in accordance with this system, and I accept the arrangement as suitable.

34639 (74). Please show in a tabular statement for the last five years, quarter by quarter, with footnotes, giving the names, the total net number of officers who have failed to obtain promotion in accordance with the principles set out in the preceding questions, and say whether any inconvenience, and, if so, what, has been caused thereby to the Administration?—The statement is, I understand, being supplied by the Chief Secretary, and it is unnecessary, I think, for me to insert it. Suffice it for me to say that at the time of writing there are no less than sixteen officers who have failed to obtain promotion in accordance with the principles set forth already. The inconveniences caused to the Administration by this serious congestion are: (*a*) The Administration is obliged to employ men on inferior work who are fitted for more responsible duties. (*b*) The officers affected form a discontented nucleus, the existence of which cannot but react unfavourably on the whole Administration.

34640 (75). Please now see the statement marked AA and the list marked *Central Provinces and Berar=H*, which have been reproduced in Appendix VII, to these questions, and say whether they are correct for your Province. If not, please state what amendments are necessary?—The statement is incorrect in showing 6 Deputy Commissioners on Rs. 2,250, and the footnote is incorrect in including the Inspector-General of Police

among those Deputy Commissioners. The Inspector-General of Police is selected from the ranks of Deputy Commissioners, is seconded and draws the pay of his grade *plus* a local allowance of Rs. 450 subject to a maximum of Rs. 2,500. There are only 4 Deputy Commissioners on Rs. 2,250 (3 first-class Deputy Commissioners of Berar list draw Rs. 1,833-5-4). The Central Provinces grading is far inferior to that of other provinces, but the statement makes it appear much better than it is.

34641 (76). Is any difficulty experienced by the Administration in working with the number of superior posts shown in the list for your Province? Do all the posts entered as superior carry a salary of more than Rs. 1,000 *per mensem*, and are they all such as are ordinarily held by officers in the Indian Civil Service? If not, what changes, if any, do you suggest?—No difficulty is experienced so far as I am aware. All the posts entered as superior do not carry a salary of more than Rs. 1,000 *per mensem*. Four appointments of Settlement Officers have been included, whereas in actual practice these appointments are held by officers who ordinarily do not draw more than Rs. 1,000, *i.e.*, the pay of their grade *plus* an allowance of Rs. 150. The same is the case with regard to the appointment of Registrar, Co-operative Credit Societies. If my proposals for a time-scale system of pay are adopted these difficulties will ordinarily not arise. But if the present grading system is maintained then I am strongly of opinion that these five posts must both be classed as superior and paid as superior posts. They are all posts of the highest responsibility, and the work is at least as hard as that of most Deputy Commissionerships. I would suggest that they all be paid at the rate of the lowest grade of Deputy Commissionership. It must also be pointed out that the posts of the Inspector-General of Police and the Director of Agriculture, though ordinarily held, by members of the Indian Civil Service, may also be held by an officer of the Police and Agricultural Department respectively.

34642 (77). Does the number of superior posts shown as held directly under the Government of India correspond with the actual experience of the last five years? If not, please give particulars of the discrepancies, and say whether you consider any change of practice in this respect to be desirable. (Attention is invited in this connexion to List J in Appendix VII to these questions)?—Yes, I believe it roughly corresponds, and I have no change to suggest.

34643 (78). Does the number of superior posts allowed for temporary appointments and deputations correspond with the actual experience of (say) the last five years? If not, please give particulars of the discrepancies and say whether you consider any change of practice in this respect to be desirable?—Yes, it almost precisely corresponds so far as I read the figures.

34644 (79). Does the arrangement by which officers, recruited against temporary superior posts, are shown in the lowest grade work satisfactorily? If not, what change of practice appears to you to be necessary?—The unsatisfactory part of the arrangement is that if the temporary post disappears, the officer recruited in the lowest grade against the temporary post remains in excess; that is to say, an officer recruited on the basis of a certain number of posts finds that with the removal of one of those posts his chance of reaching a responsible position in this a reasonable period is diminished. This is a most inequitable result likely to lead to great discontent.

34645 (80). Does the allowance of 39 per cent. on the number of superior posts give the right number of junior officers for the work of the administration of your Province? If not, please state what excess or deficiency in your opinion exists, giving your reasons in detail?—There is an excess of junior officers, but I do not attribute this to the allowance having been wrongly fixed but to the unsatisfactory nature of the present scientific system of recruitment and its working in the past. Taking 51 as the number of superior posts, the lower ranks should contain 48 men; actually they contain 61 men. Taking 46 as the real number of superior posts, the lower ranks should contain 43; actually they contain 61. There is thus an excess of 13 or 18 men.

34646 (81). Junior officers are considered to be under training during the first two years of their service. Does this approximate to the actual conditions? If not, what alteration is necessary in the percentage of 15·5 allowed for training?—Yes, this approximates fairly closely to actual conditions.

34647 (82). Does the leave allowance of 32·7 per cent. for superior posts, 6·7 per cent. for inferior posts and ·6 per cent. for training posts, approximate to the actual conditions? If not, please state what alteration is desirable?—I have already stated in my answer to question (109) that it might be possible by a change in the leave rules to reduce the percentage required for a leave reserve. I am unable to criticise these percentages.

34648 (83). Does the annual decremental rate of 4·17 per cent. on the total strength of the service correspond with the actual experience of the last 20 years? If not, please give the actual facts for this period and suggest a suitable figure, with reasons in support of the same?—I am sure that the annual decremental rate of 4·17 per cent. on the total strength of the service is far from corresponding with the actual experience of the last 20 years, but I am unable in the time at my disposal to work out the actual facts. If my rule regarding retirement after 25 years' service were adopted, I am sure that a much closer approximation could be obtained.

34649 (84). Does the theoretical strength of the service correspond ordinarily with its actual strength? If not, please state the facts and, in particular, offer any remarks which

may suggest themselves with regard to the existing discrepancy shown in the statement marked BB which is included in Appendix VII to these questions?—No, the theoretical strength of the service falls considerably short of the actual strength. There is a large excess of officers in the lower ranks. There are really only 46 superior posts as follows:—

Normal number	51
Deduct listed posts	−6
Add Government of India posts . . .	+4
Add 4 per cent. for deputation . . .	+2
Deduct 4 Settlement Officerships and Registrar, Co-operative Credit Societies .	−5
Net total .	46

Under the scientific scheme of recruitment the strength of the Commission should be 194·5 per cent. of the superior posts. The Central Provinces and Berar Commission should contain 89 men, of whom 43 would be in excess of the number of superior posts properly so called. Actually the Commission has a strength of 107 men or 61 over and above the 46 superior posts. The lower ranks contain 61 men; they should only contain 43. The excess of men in the lower ranks is due to three main reasons: (i) Over-recruitment. (ii) The assumption for purposes of recruitment of a list of superior posts containing several posts which ought not to be classed as superior at all, since it is the exception and not the rule for the officers holding them to receive salary amounting to Rs. 1,000 a month. (iii) The recent and sudden curtailment of this list of superior posts by the "listing" of three posts. This in effect amounts to the taking away from junior civilians all hope of filling certain posts, which at the time of their recruitment, were included in the list of those to fill which they were recruited. I beg to press strongly for a reconsideration of the decision to list these three posts; it has caused a great deal of heart burning among the officers affected, who see the posts which they had been expecting to suddenly snatched away from them with the slightest regard being paid to their vested interests.

34650 (85). Do you consider that the present system of a quinquennial examination of the conditions of service is adequate to regulate the rate of recruitment and flow of promotion? If not, what alterations you recommend?—No, I do not consider that the present system of a quinquennial examination of the conditions of service is adequate to regulate the rate of recruitment and flow of promotion. The interval is too long and even after the examination has disclosed the existence of stagnation in promotion the movements of the Government of India and the India Office are so slow that relief rarely reaches those who have been most affected by the block. I may also note that the last quinquennial examination did not extend to this province, thereby causing serious miscarriage of justice, as a number of officers to whom relief would probably have been given have suffered serious loss. If my suggestion of a time-scale is adopted, the quinquennial examination would be reduced to a very simple matter. All that would be necessary would be for Local Governments to report if the annual recruitment secured the attainment of responsible posts by recruits within a reasonable period.

34651 (86). State the principles on which the annual indent for recruitment to the Indian Civil Service is regulated. Do you consider that accurate results are attained thereby? If not, what alterations do you recommend?—The annual indent is regulated according to a certain percentage of the sanctioned strength of the Commission. If the sanctioned strength is incorrectly calculated, then the annual indent will necessarily be either in excess or defect. I do not recommend any alterations because I believe if more care were taken in arriving at a proper figure for the sanctioned strength, fairly accurate results would be obtained by present methods.

34652 (87). Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I am satisfied with the existing system of promotion. Regarding selection for higher appointments the orders of the Government of India are being followed in this Province. For the compulsory retirement of inefficient officers see my answer to question (

3 (88). To what extent are the functions of officers of the Executive and Judicial branches of the Indian Civil Service differentiated? Is any change desirable and, if so, what directions?—The functions are differentiated on the Civil side only. I do not consider that any change is desirable. The question of the separation of the judicial and the executive has never assumed any prominence in this Province, and I have never heard any educated Native take exception to the present arrangements. English administrators have the reputation of avoiding all changes based merely on theoretical grounds, and until I am satisfied that some concrete evils arise out of the existing system I would consider any change beyond the pale of serious discussion. As a Settlement Officer I may perhaps be permitted to act as the spokesman of the inarticulate masses. They with one voice would cry out against any more elaborations in the administration—they are not theorists but simple practical men who have a considerable appreciation of strong and vigorous administration. Any reduction in the power or influence of the Head of the District would be accompanied by a general slackening of the administration—in fact I would go so far as to say that it would be the signal for an outburst of crime which would be strongly resented by the patient and silent cultivators.

34654 (90). Please see the two statements contained in Appendix VIII to these questions showing the various rates of pay drawn by officers holding posts in the Indian Civil Service Cadre and the grading of each class of post for the different provinces, and say whether they are correct for your Province?—In the time at my disposal I have not been able to check these two statements, but I believe them to be approximately correct.

34655 (92). Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—The present rates of pay and grading are quite unsuitable. I am strongly in favour of a time-scale system and would abolish the present method of grading altogether. But if this proposal is not approved, then I must be permitted to call attention to the following facts:—(*i*) The grading of the Indian Civil Service in these provinces is indefensible, and this matter has been repeatedly represented by the Local Administration. (*ii*) The pay of the Indian Civil Service is also regulated on a scale inferior to that in any other Province. (*iii*) This disparity is all the more marked because of the absence of the prizes to which officers in other Provinces may aspire. (*iv*) The inferiority of pay and grading is simply due to the historical reason that the Province was originally manned by a mixed Commission of military and uncovenanted officers with a small sprinkling of officers of the Indian Civil Service obtained from other parts of India or intermittently recruited. The Commission is now, however, with a few exceptions, composed of Covenanted Civilians, and in future recruitment will be confined to covenanted officers; there is therefore no longer any reason why the pay of the Central Provinces Commission should be regulated by a scale inferior to that enjoyed in any other Province. (*v*) The Government of India themselves in 1891 and in 1899 recognized that the existing grading and pay were only temporary, and the Secretary of State has affirmed the absolute right of the members of the Central Provinces Commission to a scheme of pay and grading equal to those in other parts of India. (*vi*) The pay of other Imperial services in the Central Provinces does not differ from that in other Provinces. (*vii*) The Central Provinces can no longer be regarded as an unimportant region for which a cheap and second-rate administration is suitable. This is not a matter requiring much argument, but I would like to draw attention to a lecture on the Central Provinces delivered by Sir John Miller before the Royal Society of Arts on April 25th, 1912, which gives a luminous account of the progress made in recent years. (*viii*) The delay that has taken place in redressing the grievances of the officers of this Province is causing the gravest discontent which cannot but affect the efficiency of the administration. I would beg to call the attention of the Royal Commission to the need of very early relief, and would venture to ask that a preliminary report on the Central Provinces Commission may be submitted during the current year. The alterations in the grading and pay I suggest are as follows:—

	Rs.
5 Commissioners on	2,750
17 First-Class Deputy Commissioners on .	2,250
16 Second-Class Deputy Commissioners on .	1,800
10 First-Class Assistant Commissioners on .	900
10 Second-Class Assistant Commissioners on	700

34656 (93). If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts, or to both?—It relates to the pay and grading of the higher posts and to the grading of the lower posts.

34657 (94). Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the Provinces, and does any dissatisfaction on this score exist in your Province, and, if so, what?—I consider it most desirable that there should be uniformity of payment for similar kinds of work in all the Provinces. The greatest dissatisfaction exists on this score in the Central Provinces, as already pointed out in the answer to question (92). Such differentiation cannot but be regarded as inequitable and invidious. Men entering the Indian Civil Service are not allowed to select their province, though they may indicate a preference, and they are naturally aggrieved when they find themselves in receipt of salaries considerably inferior to those drawn by their contemporaries in other provinces. There is absolutely no reason save an historical one for this differentiation. The expenses of a European mode of life are just as high as in other parts of India—indeed it is not an exaggeration to say that a portion of the Central Provinces and Berar (I refer to the cotton juari tracts) constitutes the most expensive part of India. Each province has its attractions, each has its drawbacks, and in the Secretary of State's despatch No. 25 of the 8th March 1900 the principle was solemnly reaffirmed that all the Commissions in India officered by members of the Indian Civil Service should be placed on an approximate equality as regards pay and prospects as far as the general line was concerned.

34658 (95). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—If the time-scale suggested by me is adopted, then I would be prepared to drop the exchange compensation allowance. I would have the same rates of pay for all members of the Indian Civil Service, Indian or otherwise.

34659 (97). How does the system of acting allowances work in the case of officers selected to officiate in appointments involving increased responsibility? Is it productive of any inconvenience and have you any suggestion to make on the subject?—The system of acting allowances works extremely badly. It is no longer true to say that acting allowances are given to officers officiating in appointments involving

increased responsibility. It can neither be said of a Deputy Commissioner nor of an Assistant Commissioner for instance that acting in a superior grade involves increased responsibilities. Whatever it may have been originally, the system has degenerated into an inferior species of time-scale which causes enormous inconvenience both to the office which has to control it and to the officers who suffer by it. A glance at a few issues of the *Central Provinces Gazette* would convince even the most ignorant of the absurdity of the present system. An officer's pay may vary four or five times within a single month, and unless he is an expert on the Civil Service Regulations it is impossible for him to foresee what pay he will be drawing at any particular time. The Civil Service Regulations are like a Chinese puzzle; they are full of subtle differences between permanent, acting, provisional and *sub. pro tempore* promotions which the ordinary layman finds it difficult to follow. Another grievance is caused by the retrenchment system, which is the inevitable accompaniment of acting allowances. I have known two recent cases in which married officers with families were called upon to retrench large sums which they had already spent. No large business concern would pay its employés on this system, which is absolutely indefensible. It may be asked, if the system is so bad, why have not its defects been brought to light before? The reply is that so long as officers enjoy a fair measure of promotion, they are not likely to complain of the system which gives it them, but as soon as a block supervenes its absurdities become manifest.

34660 (98). How is the system of officiating grade promotions, where there is no change of duties, actually worked? Is the system convenient in the interests both of the Government and of the officers of the service? Have you any recommendations to make for its alteration?—The grade promotion is given whenever a temporary vacancy occurs owing to the absence of a senior officer on leave or otherwise. The system is quite futile except in so far as by securing acting allowances it acts as a species of inferior time-scale. The absurdity of the system is shown when we have an officer acting as a Deputy Commissioner continuously for eight years who has never drawn the pay of a Deputy Commissioner and has never reached the grade of a Deputy Commissioner. I would recommend the abolition of the system altogether.

34661 (99). What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the service or not?—I am entirely in favour of the substitution of a time-scale of salary for the present graded system. The existing graded system actually works as a time-scale but so arbitrarily and capriciously that it creates nothing but discontent. The theory that bad promotion at one stage of service is compensated by good promotion at another stage is absolutely false in fact, and it is inequitable that the promotion of a body of men like the Indian Civil Service should be the sport of chance and that members of the same service should draw far different rates of pay for doing exactly the same work at the same period of service. I would also draw attention to the unpleasantness that is caused by what may be termed 'waiting for dead men's shoes'—it is preposterous that an officer's chances in life should depend on the number of his seniors who die or who choose to retire. There is nothing more deadly to keenness and efficiency than the knowledge that a man's efforts will not advance him a scrap owing to a hopeless block above him.

34662 (101). What is your experience of the practical working of time-scales of pay in other Indian services?—I have been watching the working of time-scales of pay in the case of the Imperial Forest Service and the Finance (or Accounts) Service. No practical difficulties have, so far as I am aware, arisen in connection with the working of the system; on the other hand, the change has produced content where discontent was rife before.

34663 (102). If you recommend any system of time-scale of pay, please describe it, and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances, and other matters of importance. How do you propose to apply such time-scale in Provinces where the scale of pay of the judicial and executive branches of the service is different?—In a Resolution of the Government of India (F. D. No. 2485-E. F. A., dated 1st September 1911) dealing with the reconstitution of the pay of the officers serving in the Political Department on the basis of a time-scale, it is stated that "the time-scale of pay has been calculated at a rate which will give practically the emoluments which they might expect to draw in the Provinces." This scale I accept as reasonable. It should include all those appointments of which the emoluments are less than Rs. 2,500 *per mensem*, and should be without prejudice to those local, personal and deputation allowances which are at present in existence and attached to certain appointments. The scheme is set forth in the table appended, but its main features may here be briefly emphasized. These are: (*a*) A time-scale rate of pay for officers drawing less than Rs. 2,500 adapted from the Political Department scale which has been admitted to be reasonable both by the Government of India and the Secretary of State. (*b*) A single class of Rs. 35,000 *per annum* for Commissioners so as to bring their emoluments into line with similar officers similarly placed in the other Provinces of India. (*c*) A maximum limit of Rs. 1,500 *per annum* to be set to the pay of any officer who is not put in charge of a district, but every officer who is put in charge of a district before the completion of his 12th year to receive a monthly charge allowance of Rs. 300 subject to a minimum payment in each case of Rs. 1,250 *per mensem* and a maximum of

Rs. 1,500. This scheme does not involve a simple time-scale of pay right through an officer's service. It is recognised that the encouragement of efficiency demands that after a certain point an increase of pay should not depend merely on an officer's increasing age, but should also at certain stages of his service be regulated by his capacity to hold charge of more important duties. I would make the scale applicable to both judicial and executive branches of the Service, as I see no valid reason for distinguishing between them. The rules in force in other services for regulating the grant of increments work, I understand, quite well and could be introduced for the Indian Civil Service. I can foresee no other difficulties in connection with the working of the scheme. I beg to draw the attention of the Royal Commission to the necessity of early relief in the direction indicated. A real and undesirable injustice exists which calls for redress with the least possible delay. There is a serious danger of creating a sullen and discontented Civil Service in this Province, and this danger will only be removed by the grant of adequate relief (*i.e.*, not below the scale indicated) at a reasonably early date.

Proposed scale of pay for members of the Central Provinces Commission.

Years of service.		*Per mensem.* Rs.	
1	(1)	450	(1) An increase of Rs. 50 in the initial pay is recommended. This to be raised to Rs. 500 after the officer has passed his Departmental examinations in law and in one language.
2		550	
3		600	
4		650	
5		700	
6		750	
7		850	
8		950	
9		1,050	
10		1,150	
11		1,250	
12	(2)	1,500	(2) No officer not in charge of a district to draw more than Rs. 1,500 *per mensem*, even though he may have completed 12 or more than 12 years' service. But any officer whose pay is less than Rs. 1,500 who is put in charge of a district to receive a charge allowance of Rs. 300 *per mensem* with a minimum pay in each case of Rs. 1,250 and a maximum of Rs. 1,500.
13		1,600	
14		1,700	
15		1,800	
16		1,950	
17		2,050	
18		2,150	
19		2,250	
20		2,350	
21		2,400	
22		2,400	
23		2,400	
24			

All Commissioners to receive Rs. 35,000 *per annum*. There are only 5 Commissionerships in these Provinces. Appointment to these posts is in future to be made strictly by selection. There is therefore every reason why they should be kept in a single class.

34664 (103). If you are in favour of a time-scale of pay, how would you secure that the recruitment of junior officers is restricted to the number likely to be promoted in a reasonable time to posts of independent responsibility, and do you or do you not consider it desirable that all members of the Indian Civil Service should have the prospect of rising to such posts within a fixed time?—I consider it not only desirable but absolutely essential that all members of the Indian Civil Service should have the prospect of rising to posts of independent responsibility within a reasonable time. The organization of the service as a *corps d'élite* is based on this principle, and it is a commonplace that the retention of an officer for too long a period in a subordinate capacity tends to impair his power of initiative. 'Too old at fifty' is, I believe, an axiom with regard to the plains of India. From the age of 30 or 32 all members of the Indian Civil Service should be holding posts of independent responsibility. The factors to be considered are so numerous and subject to such variation that no scientific system of recruitment can be devised which will enable every officer to attain a post of responsibility at exactly the same period of service. But if some care is taken to adapt the recruitment to the real number of superior posts, and if no reduction in those posts is made till the vested interests of every officer recruited to fill those posts have been satisfied, then I think the present system might well continue, subject to periodical scrutiny of the various percentages used in the calculations at the hands of an expert. I would also record my opinion that it is much better to under-recruit than over-recruit, and where there is any doubt as to the exact number required, the lower figure should be taken. It is better that the administration should suffer from a slight shortage of officers than that a state of discontent should prevail.

34665 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?—I suggest that officers holding listed posts should draw pay at the same rate as the pay drawn in the same posts by members of the Indian Civil Service. It is essential that persons holding the listed posts should live in the European style and maintain their position socially. They should also spend a portion of their leave outside India and thus widen their outlook. In many cases also they will wish to give their children a European education. I also consider it important that persons holding listed posts should not feel themselves in a position of inferiority to their colleagues in the Commission. I admit that my view is not quite consistent with the opinion expressed in the reply to question (27) that the listed post system cannot be justified on grounds of efficiency, but after much consideration I have come to the conclusion that both views are sound.

34666 (106). Is there any reason to suppose that officers of the Indian Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—Officers take less leave because the furlough allowances are inadequate.

34667 (107). Is all the leave on full pay due to them ordinarily taken by officers of the Indian Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—I have not accurate statistics on this point, but my impression is that all the leave on full pay due to them is not ordinarily taken by officers of the Indian Civil Service. The reason is fairly well known. Officers cannot, as a rule, afford to take leave on their furlough allowances, hence they try to accumulate the full amount of leave on full pay possible, *viz.*, three months. Having accumulated it, they find for various reasons that it is impossible or inconvenient for them to take it, and hence a portion of it is lost. The power of combining privilege leave with furlough has not reduced the loss to any appreciable extent, as the inadequacy of the furlough allowances acts as a bar even to the taking of combined leave. I consider the amount which can be earned suitable, but I would forbid its accumulation on the ground that it is absolutely essential to the proper health and efficiency of an officer that he should take a holiday every year. At present many officers know nothing of India beyond the borders of their own province, and a month's leave each year would give them the opportunity of widening their knowledge and broadening their views. It is, however, absolutely out of the question to take away this privilege of accumulating leave on full pay without giving some adequate compensation. The compensation suggested is given in the answer to question (109).

34668 (108). Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—Officers do, I believe, on the whole take less furlough because they cannot afford it. At the same time I am strongly opposed to any reduction in the total amount permissible, because a certain proportion of officers do take the maximum, and the system which allows of an officer keeping a reserve of furlough in hand against emergencies is a sound one.

34669 (109). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—I consider that the rates of furlough allowances are unsuitable and would put forward the following proposals both as a remedy for the inadequacy of the allowances and as compensation for the loss of the power to accumulate privilege leave. It may be assumed that every officer needs about 8 months' leave every fourth year. The present rules entitle him to more, but the inadequacy of the leave allowances prevents him availing himself of it. If he were allowed his leave on full pay there can be no doubt that he would invariably take it as soon as he could get it. My proposal then is that furlough on full pay should be earned at the rate of one month on every six months' active service, making a total of 3 years and 7 months' furlough earned in a total service of 25 years. Thus every officer after $3\frac{1}{2}$ years' active service, during the first three years of which he would get one month's privilege leave each year, would be entitled to 7 months' leave on full pay, when he could go home and have a thorough change. The leave would, of course, have to be taken at such a time as might be convenient to the administration; an officer could not be allowed to claim his leave at a particular time convenient to himself, but would have to take it when he could get it and would even be liable to be sent on leave when he did not want to go. It would be necessary to spread the leave absence more or less evenly over the whole year so as to avoid having too many officers absent at one time and too few at another. Under this scheme privilege leave at the rate of a month a year and furlough on full pay as explained above would be the only kinds of leave ordinarily allowed, but it would be necessary to provide for the grant of special leave either for ill-health or for urgent private affairs. Such special leave would in the case of urgent private affairs not exceed 6 months, while leave on medical certificate would be for such period as the medical officer might declare necessary; in either case the leave would be on half pay only. Under this system the total amount of furlough on full pay to be enjoyed by an officer in 25 years' service would be 3 years and 7 months. This is not an unreasonable amount of leave and should ordinarily suffice. Should, however, in any individual case more leave be required, it will always be open to an officer to take it on half pay as at present. It is also probable that under this scheme the number of officers on leave at one time would not exceed 14 per cent. of the strength, and it would thus be possible to reduce the leave reserve by 6 per cent. The scheme will, I think, be of the greatest benefit both to the administration and to the officers concerned. To the administration it will secure the maximum efficiency of the officers and will tend to reduce the long absences for as much as two years at a time. To the officers it will ensure that they have sufficient opportunities of relaxation and change of climate and sufficient means at their disposal to take advantage of it.

34670 (110). Do you recommend any change in the concession, granted in 1893, under which leave allowances expressed in rupees, other than privilege leave allowances, issued at the Home Treasury, or in a colony with a gold standard of currency, are issued in sterling at the privileged rate of exchange of 1*s.* 6*d.* the rupee? If so, what change?—I would press for equal treatment with other services, *viz.*, a privileged rate of 1*s.* 9*d.* This would improve the rate of furlough allowances at present felt to be inadequate.

34671 (111). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative rates fixed in sterling and in rupees and, if so, what

change?—I am unable to see why furlough allowances should be subject to a maximum of £1,000. I would advocate half pay in all cases subject to a minimum of £500.

34672 (113). Generally speaking, do any of the present leave rules applicable to the Indian Civil Service cause inconvenience to the Administration, and if so, what, and what remedy do you suggest?—The present leave rules do cause inconvenience to the Administration because they are too rigid and leave too little discretion in their application to the Head of the Administration. The province should be run on business principles, and the Head of the Administration should be allowed to let his officers take leave (provided they have earned it) according to their mutual convenience. The rule permitting only 20 per cent. of all the officers of a commission being on leave at one time appears to me to fetter the local Administration's discretion quite unnecessarily. Leave is sometimes refused on account of this rule although there may be ample men of adequate service to fill all the posts, and the rule operates as a hardship when a severe block in promotion prevails.

34673 (114). In particular are they a contributory cause of excessive transfers of officers of the Indian Civil Service, and, if so, how can this difficulty be met?—Transfers can no longer be called excessive in the Central Provinces and Berar, but it is certainly true that the little discretion left with the local Administration in the matter of granting leave occasionally necessitates a transfer which might have been avoided.

34674 (115). Do any of the present leave rules press hardly in any way on officers of the Indian Civil Service themselves, and, if so, in what respects? What is, in your opinion, the appropriate remedy?—Yes, the present leave rules do press hardly on officers of the Indian Civil Service in several respects. The rules are subject to many irritating and useless restrictions which should be removed, *e.g.*, (*a*) The rule prohibiting an officer taking furlough until the completion of 8 years' service. This is an antiquated rule dating from a time when a journey to India was a much more serious business. A young man on his first arrival in India has to go through a period of acclimatization, and unless he is exceptionally lucky, he really requires a year's leave after four years' service which will enable him to return to India a thoroughly fit and competent officer. A certain stigma is attached to furlough on medical certificate, and I have known cases where men have seriously injured their constitutions by hanging on the full 8 years before taking furlough. (*b*) The rule prohibiting the grant of privilege leave within eighteen months after more than six weeks' privilege leave have been enjoyed. (*c*) The rule preventing the grant of furlough within eighteen months after privilege leave. (*d*) The rule requiring 3 years' continuous service before grant of furlough. All these rules are much too rigid, and I can quote cases of the evil effects of their working.

34675 (118). Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—Yes, I consider that the present system of equal pension is generally accepted as satisfactory both by the Government and by the members of the Indian Civil Service. It constitutes one of the main attractions to recruits, and I am convinced that without it the Indian Civil Service would rapidly deteriorate both in the class of recruits attracted and in the quality of work done during active service. With the one exception in favour of those who have held high office [*vide* question (122)] I am of opinion that the present system should continue. I am also strongly of opinion that the pension should be a real, not nominal, pension of £1,000. The 4 per cent. contribution was not felt as a burden when salaries meant much more than they do now, but it has always been a grievance that the much advertised pension of £1,000 was in reality something substantially less and that the real pension was inferior to that of some other Imperial Services. The system of contribution is also unequal in its operations, and it is confidently alleged that in some cases a successful officer by the end of 35 years' service may have paid nearly the whole of his pension himself. I would strongly recommend that the 4 per cent. contribution should be converted into a Provident Fund which should form an addition to the £1,000 annuity.

34676 (119). Would a non-contributory system of superannuation pensions varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—No, such a system is desirable neither in the interests of the Government nor of the members of the Indian Civil Service. It would discourage retirements and lead men to hang on for the sake of adding to their pensions. It would also work most unfairly in the case of those officers who had not been lucky enough to enjoy good promotion; they would be penalized both ways, drawing smaller emoluments during their service and a reduced pension after retirement.

34677 (122). Do you consider that a similar system should be applied to the cases of high executive officers, and, if so, to which? Please state the amount of pension and the conditions which you recommend as suitable.—Yes, I recommend that after five years of office the following high executive officers should receive special pensions:—Heads of Provinces, Members of the Viceroy's Council, £1,500. A proportionate increase should be given on retirement on medical grounds after less than five years of office.

34678 (124). Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without

some provision for their subsistence? If so, what do you suggest?—Yes, I recommend the introduction of a system of reduced pensions for inefficient officers. Some such system has often been advocated in the past, but the difficulty has been to devise a working rule. An inefficient officer can, it is true, always be relegated to an inferior post, but the retention of such an officer is likely to affect the prestige of the Administration. Inefficiency should be taken to include unsuitability. To prevent alarm being aroused in the service and recruitment being adversely affected I would surround the system with adequate safeguards. The rough rules I suggest are as follows:—(*i*) Orders should be passed in each case by the Secretary of State and not by the Local Government or the Government of India. (*ii*) The first stage in the proceedings should be an enquiry before a special commission or jury of members of the service. (*iii*) The scale of pension should be identical with that fixed for retirement on medical certificate.

34679 (125). Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?—I do not consider the pension rules entirely suitable either in the interests of the Government or of the members of the Indian Civil Service. In the first place some revision is required in the present maximum of medical pension which is fixed at £700 after 25 years' total service, of which less than 21 is active service. This limit imposes an unduly severe penalty on senior officers whose health breaks down, and is likely to lead to the retention in service of the inefficient. I am of opinion that the difference between a full pension and a medical pension in the last few years of an officer's service should be minimized. I would suggest a scale of medical pensions working down from a maximum of £945 per annum after 24 years' service. In the second place the rule permitting retirement on full pension after 25 years' service and making it compulsory after 35 years' service appears to me to be capable of improvement. The difficulty of foreseeing what number of men will remain on the extra ten years makes scientific recruitment with a view to the attainment of responsible position within a reasonable time almost impossible. Again, India is a young man's country, and it is not desirable that men should be encouraged to stay after they have lost much of their vitality. Exceptional cases where it would be wrong to deprive India of the services of brilliant and experienced men can be met by the grant of extensions. I would suggest the following rules:—(*a*) Ordinary retirement on full pension after 25 years' service, of which 21 must be active. (*b*) With the sanction of the Government of India a 5 years' extension may be given. (*c*) At the end of the first extension a second extension of five years may be given. Yearly extensions are to be deprecated as likely to create a feeling of unrest incompatible with good work.

34680 (129). Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?—I would make the following suggestions: that the constitution of the Family Pension Fund should be altered (*a*) so as to permit of the cessation of contributions after retirement, (*b*) so as to allow of the payment of pensions to orphan sons up to the age of 24 instead of 21 as at present. As regards (*a*) I would plead that the average member of the Service retires a comparatively poor man and deductions from his pension are severely felt. As regards (*b*) it may be urged that the present limit of 21 for orphan sons practically debars a widow from giving even one son a University or professional education.

34681 (130). In particular do you approve of the exclusion from their benefits of "Natives of India," who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?—I am not sufficiently acquainted with the working of the fund to be able to give a satisfactory reply. But subject to an actuarial report showing what additional burden would be thrown on the fund, which is based on European family conditions, I am disposed to think that Indian members of the Indian Civil Service should be admitted to its benefits. The differentiation is, I know, felt as a grievance, and plurality of wives is no longer the rule.

34682 (131). Do you recommend that such admission should be optional or compulsory?—The admission should be compulsory, no distinction being made in this respect between Indian and European members of the service.

34683 (136). Are you satisfied with the existing organisation of the Indian Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you suitable?—I am satisfied with the existing organisation of the Indian Civil Service. It is an organisation that has grown up gradually to meet the needs of the country, that has adapted itself in the past, and will no doubt continue to adapt itself in the future, to changing conditions, that has given general satisfaction to the masses of India, while it still wins the admiration of critics and observers from other countries. To pull down an edifice which the wisdom and labours of our predecessors have reared would be the acme of bad statesmanship. Rather should attention be given to strengthening any weak points which may be revealed during the course of the enquiry now in progress.

34684 (137). Have you any other proposals to make in regard to the Indian Civil Service

not covered by your answers to the above questions? If so, please explain them?—I would like to record my agreement with the following proposals:—(*i*) Permanent membership of the Viceroy's Council should be the crowning point of an Indian career and should in no case lead to the Headship of a Province. (*ii*) The term of appointment to the Secretary of State's Council should be reduced from seven years to three years. (*iii*) Certain posts in the India Office should be reserved by statute for members of the Indian Civil Service. These proposals would, I think, ensure the Viceroy and the Secretary of State receiving the soundest, the most impartial and the most up-to-date advice available, and the whole administration would rest on a purer and securer basis. I would also draw attention to the need of revising the present form of covenant. The covenant is an agreement of service and like every other contract outside of Government service should bind both sides, specifying the conditions of service and pension with necessary safeguards. I must also notice one omission in the questions. There are a number of uncovenanted officers in the Central Provinces and Berar Commissions, and I consider that something should be done towards putting them on a level with the Indian Civil Service men in regard to their length of service, pension, and family pension fund. I am not prepared with a detailed scheme.

MR. A. E. NELSON called and examined.

34685. (*Chairman.*) You are a Settlement Officer?—I am.

34686. Can you tell us what experience you have had previous to your present appointment?—I have had experience for 13½ years.

34687. As well as answering the questions on your own behalf you are answering them also, I understand, on behalf of the Central Provinces and Berar Commission Association?—Certain answers are my own opinions and in certain others I represent the Association.

34688. The Service proposals, which you have put in,* represent the views of the Association?—Yes.

34689. How is that Association constituted?—It comprises all the members of the Central Provinces and Berar Commission and is represented by an Executive Committee of which I am the Secretary.

34690. And these proposals are put forward by the Executive Committee as representing the body of the members?—Yes.

34691. You speak strongly against the proposal for establishing an examination for Indians in India, and I understand from your answer that your objection would apply equally whether such examination were tempered by previous selection or nomination?—My objection would apply to both.

34692. You would prefer to offer further facilities for the admission of Indians to the Service by promoting them from the Provincial Service to listed posts?—If further facilities are to be given, I prefer that scheme, but I am not recommending a large extension.

34693. Are you quite sure that a system of promotion to listed posts from the Provincial Civil Service is really popular amongst the members of that Service?—So far as I know it is. I cannot be absolutely certain, because I have not consulted them all.

34694. You do not think that discouragement is engendered by the smallness of the number of officers selected for these superior positions?—No. I think it creates a feeling of pride in the Service, that some of their members have been selected for these higher posts.

34695. One of the objections raised to the scheme of listed posts is that officers reach their positions so late in life that they never have an opportunity of going very far?—I have suggested that they should obtain them at an earlier period of their service, but I am not prepared with a cut-and-dried scheme, because I have not had time to work it out.

34696. Generally speaking, you would like to see young men of promise pass with greater rapidity through the Provincial Civil Service into the listed posts?—That is my opinion.

34697. Do you think that this scheme would be popular amongst the main body of the officers of the Provincial Civil Service? Under it one young man will be going through very fast, but he will be leaving behind a very large number of others with no prospect of enjoying equal advancement?—But they have their own prospects in their own Service to look forward to, and if the selection is made strictly by ability I do not think there would be any general feeling against it. Nobody, of course, likes being passed over.

34698. You object to the idea of an examination in India on the score that the men who passed would be of the Provincial Civil Service type?—That is my view.

34699. But supposing an examination were established in this country for a limited number of Indians, and that examination were in all respects similar to the examination in England, and it was conducted by the Civil Service Commissioners and all the successful candidates had a period of training in England at an English University, would you still say that those officers, when they eventually became members of the Indian Civil Service, would only enjoy the prestige of officers of the Provincial Civil Service?—I am not quite sure about that. The objection to that in my mind is that it will damage the prospects of the Provincial Civil Service entirely, unless you mean to confine them to competition.

34700. You mean that it will reduce correspondingly the number of listed posts?—Yes.

34701. And you consider that the listed post system is so far the superior to the one I have indicated that you would not sacrifice it?—I

* *Vide* Appendix II.

think it is working very well at present in these Provinces as far as I know, and I do not see any particular reason to suggest a change.

34702. I am not suggesting a change but only asking you for your opinion of the two alternatives?—It is impossible to prophesy exactly what status these people would have until they actually formed part of the administration. I can only give my own ideas as to the status. It is quite possible that if they went home after examination they would obtain the status of the Indian Civil Service.

34703. You draw a distinction between your own views and those of others of your Service with regard to the age limit of recruits, and you say you yourself would prefer the higher ages?—Yes.

34704. Do you not think that the difficulties which you discuss with regard to the emoluments of the Service are very seriously accentuated by the fact that men come out so late?—They are.

34705. And if men were brought into the Service at an earlier age than they are now, then to a corresponding degree those difficulties would be diminished?—I agree that is a strong argument in favour of the reduction of the age.

34706. Do you see any practical difficulty in the way of a young civilian coming out here two or three years earlier than he does at present?—No practical difficulty at all. I prefer the University man.

34707. So that you would not seriously object to seeing the age reduced?—There is a great diversity of opinion on the matter and the arguments on both sides are extremely strong.

34708. You have given your opinion in favour of the advanced age and I want to hear on what grounds you gave it?—One main ground is that I think the University man will be generally the better educated man. I do not attach such great value to this period of probation which has been suggested. I think the period of probation is very rarely taken seriously. But a man who is working for a first class in the schools at Oxford or Cambridge is likely to turn out a much better educated man than the man working for a probationary examination.

34709. You can reconcile the University career with an earlier age, can you not?—I have reduced the age by one year, to twenty-three.

34710. You do not set much store by the year's probation after the examination?—Personally I do not set much store by it. There must be some value attached to it, but not such value as the training for a University degree.

34711. Do you think that the present training is of little use on account of the shortness of its duration, and that it might be useful if it were two years?—No, I prefer to keep the one year at present.

34712. And you regard it more or less as a period of recuperation after the examination?—Not entirely. There would be examinations, but I do not regard it as a very serious training. It lays the foundations for the training in India as far as they can be laid.

34713. You have made several recommendations which I understand represent the proposals of your Association, and as I read them, in the main, they correspond with the recommendations made by the Local Government. There are small differences in regard to the time-scale of an immaterial character, and certain other proposals are slightly different, but on general lines I take it they correspond with those made by the Local Government?—I believe they do.

34714. We have already examined previous witnesses on all that, and therefore it is unnecessary for me to go through it again. But as regards your answer to question (97), in connection with what you call the futility of the system of acting allowances, could you give us any examples?—Yes; I have brought some copies of the "Gazette" notifications from which I can read extracts.

34715. You say that an officer's pay may vary four or five times within a single month, and that unless he is an expert on the Civil Service Regulations it is impossible for him to foresee what pay he will be drawing at any particular time. Can you give us examples to illustrate that statement?—I can quote a case. On the 7th November 1912, Mr. Moss-King was appointed to officiate as Deputy Commissioner, first-class. On the 13th November he was appointed to officiate as Deputy Commissioner, second-class; and on the 19th November he was appointed as Deputy Commissioner, third class. That is one case.

34716. That is three changes within two months?—Yes. Then Mr. J. F. Dyer on the 22nd January 1910 was appointed from Assistant Commissioner, third-class, to be Assistant Commissioner, second-class, sub. *pro tem.*; on the 2nd of July 1910 an order was issued as far as relates to the appointment of Mr. J. F. Dyer as Assistant Commissioner, second class, sub. *pro tem.*, from the 22nd May 1910, his reversion as Assistant Commissioner, third class, from the 3rd June 1910, and his appointment as Assistant Commissioner, second class, sub. *pro tem.*, from the 2nd July 1910, is hereby cancelled.

34717. There are about three changes there in two months again?—Yes.

34718. You would like to see this practice done away with and your own proposal for a time-scale established?—Yes. I think the present practice is absolutely ridiculous.

34719. Have you estimated at all what any or all these schemes which you have put forward would cost?—No, I am afraid I have been unable to do that.

34720. If it came to a question of alternatives, which, in your judgment or in the judgment of the Association, would you or they prefer to see carried into effect?—The provision of the time-scale is the most urgent.

34721. After that which would you say?—I should say after that the proposal with regard to better leave allowances. That is my own personal opinion, but I am not quite sure what the view of the Association would be.

34722. Your proposal is for seven months' leave on full pay?—Yes.

34723. You have not estimated what that would cost either?—I am afraid not.

34724. The expense would be heavy, would it not?—I suppose it would.

34725. Have you anything to say about the strength of the Indian Civil Service cadre? Would you say that there are enough officers to do the work required, or do you hear of complaints of overwork?—I think there are quite enough officers to do the work required.

34726. (*Lord Ronaldshay.*) You do not attach as much importance to the disadvantages from which the competitive system is said to suffer as some witnesses have done, but from your answer to question (6) I rather gather you think that a certain number of undesirable recruits may get into the Service under the present system?—I do not say that they have done; I say that it is possible they may do.

34727. And you think they might be got rid of by the Rules for the retirement of inefficient officers. What are those Rules?—The Rules I have suggested in answer to question (124).

34728. You are referring to Rules you have put forward yourself, not to any Rules that exist at the present time?—That is so.

34729. I do not quite know whether that would exactly meet the case which has been suggested to us by some witnesses. Your Rules for retirement, I understand, relate to retirement on the grounds of inefficiency in a man's work?—I must leave each case to be taken on its merits. I am not prepared to lay down the exact reason.

34730. But do you not think that whoever had to pass judgment on these people would find it very difficult also to lay down any Rules?—I have surrounded the system with adequate safeguards. A case must be very bad before it is taken up, and I do not think very many cases would be taken up.

34731. If you had these Rules for retirement, surely they could be only Rules for the retirement of a man who did not perform his work efficiently. Do you think you could retire a man for any other reason?—No; I cannot think of any other reasons immediately.

34732. I do not say that this does happen or will happen, but you might have a very efficient "bounder." Could you under your Rules retire a man who was performing his work efficiently on the ground that he was a "bounder"?—I must leave each case to be taken on its merits. I cannot give an opinion beforehand.

34733. But at any rate you are quite satisfied that some suggestion such as that which you make in regard to question (124) would quite meet any possibilities?—It is the best I can suggest. I do not say it is perfect, but it is the best practical solution I can find.

34734. With regard to the answers you gave to the Chairman as to the recruitment of Indians to the higher Service, I understand that your policy is really to enhance the attractiveness of the Provincial Civil Service?—Yes.

34735. Would you like to see the whole status of the Provincial Civil Service raised, if possible?—No, I do not think I have said that definitely.

34736. You may not have said it, but you would like to see it?—It is a very good Service at present in these Provinces, as far as I know.

34737. Do you think it is a Service which attracts the best amongst the ambitious young students in India at the present day?—As far as the Central Provinces are concerned, it does attract the best, but I am open to correction on that point.

34738. You think that, if it is considered desirable to make any recommendations for granting additional facilities to Indians for obtaining higher posts, the best way would be to select men from the existing Provincial Service?—That is my opinion.

34739. And select them if possible at an earlier age than you do at the present time for listed posts?—Yes.

34740. Have you any personal experience which would enable you to tell us about how soon you could pick out a man in the Provincial Service with the view to promoting him in due course to a higher post?—I should say, roughly speaking, 8 to 10 years.

34741. You told the Chairman that you thought the mere fact that a certain number of these men were selected for higher posts would not create any dissatisfaction among the rank and file of the Service. I suppose you came to that conclusion because you assume that if there was a probability of more men being selected for higher appointments every man who came into the Provincial Service would come in, if not in the expectation, at any rate in the hope, that he might be one of the fortunate people sooner or later?—That expresses my view.

34742. Exactly in the same way, I suppose, as in the Indian Civil Service, where it is not every civilian who can become a Lieutenant-Governor, but every civilian when he joins the Service thinks at any rate he ought to be a Lieutenant-Governor sooner or later, and perhaps may be?—Exactly so.

34743. So that there is really no ground for supposing that if you were to say you were going to select men from the Provincial Civil Service at a comparatively young age for promotion to higher posts on the ground that they had shown particular capacity it would in any way create dissatisfaction?—Not in the least, so far as I know.

34744. I wonder whether you would go just a little further than I think you do go in your written reply. You would like to see these men holding listed posts paid the same salaries as members of the Indian Civil Service holding similar posts?—That is my suggestion.

34745. It comes to this, that you would like to see these specially selected Provincial Service Officers practically promoted to the Commission of the Province?—That is what it would practically amount to.

34746. And the only two restrictions, as far as I can see, which you impose upon their actual incorporation in the Commission of the Province are, in the first place that you say they are to be appointed to a particular post, that is to say a listed post, and that they do not enjoy the right enjoyed by an ordinary member of the Commission of being given another post if they prove fit for it. That is the limitation attached to the listed post system at the present time?—Yes.

34747. Would you have any objection to the limitation being removed, and when once you have selected a man and said he was a good

enough man to rank in the Commission of the Province he should have the same chance as any other member?—Yes, personally I think that.

34748. You would agree to that?—I would agree to that.

34749. The only other restriction is the question of pension. It would be impossible I suppose to put these men on the same footing as other members of the Commission with regard to pension under the present system, because they would not have subscribed towards their own pension in the earlier years of their service?—There would be practical difficulties.

34750. But in those Provinces where military officers have been employed in the Commission no difficulty has been really found on the ground of pension?—No difficulties have been caused as far as I know.

34751. So that there would be no difficulty on that score?—No.

34752. With regard to what you said to the Chairman about the age-limit, you yourself, I understand, are rather disposed to be in favour of a higher age-limit, because you attach a great deal of importance to a University education?—Yes.

34753. Would your difficulty be got over supposing it was decided to recommend an age limit to catch a schoolboy for the examination, from 17 to 19 or 18 to 20, and instead of undergoing the particular specialised probation which a man undergoes now, the successful candidate in the examination passed three years at a University and took a University degree, that degree being suited, as to its subjects, to a certain extent to the career which he will have to take up when he comes out to India?—That would remove all my objections provided you fix the standard of the degree to be taken. If the man had only to take a third-class or a pass degree, I do not think it would be sufficient.

34754. You would like a higher standard fixed?—Yes.

34755. What would you suggest as the lowest standard which would be satisfactory?—I am not in close touch with the Universities at present and it would be rather difficult for me to say without knowing the conditions.

34756. Why do you think a third-class would not be satisfactory, if you are not acquainted with the conditions?—If a man was on probation in a University and was sent there for three years and only succeeded in taking a third-class, unless there are some mitigating circumstances, I should not think he was good enough for the Civil Service.

34757. You think it ought to be something higher than a third-class degree, but you are not prepared to say what it should be?—I am not prepared to say that it should be confined to a first-class.

34758. (*Sir Theodore Morison.*) You say that the term of appointment to the Secretary of State's Council should be reduced from seven years to three years, and I should like to hear your reason for that?—The reason is that the conditions change so quickly from day to day that it is necessary to have a constant succession of fresh blood in the India Office.

34759. You also say that certain posts in the India Office should be reserved by statute for members of the Indian Civil Service. What sort of posts do you mean?—I am not prepared to give a list of the posts, but it should be absolutely assured that in the India Office there should be some element of Indian experience.

34760. You would not take a Magistrate in the middle of his career?—No.

34761. You would take him at the end of his career when he was still in service?—If it were offered to him it would be open to him to refuse it.

34762. You would have a senior man anyhow?—Yes.

34763. If he was a distinguished man—and presumably you would take no other—you would not put him to perform clerical work? If you are going to have a distinguished civilian you will have to put him at the head of a department?—Yes.

34764. As has been already the case with regard to certain distinguished Indian civilians?—Yes.

34765. You would like to have that by statute?—Yes; I would perpetuate that by statute.

34766. Will you explain what you would do for these English Civil Servants who are working in the India Office and from whom you are taking away the plums of their Service?—I am not proposing to take away all the plums but only certain of them.

34767. There are very few plums in the India Office. A little time ago the only plums were held by members of the Indian Civil Service. Judging by what we have heard of Civil Service opinion here when an appointment goes to a member of the English Civil Service which the Indian Civil Service expect for themselves, what do you think would be the feeling in the India Office?—If it were laid down by statute that certain appointments were to go to Indian Civilians, there could be no possible feeling. I am not prepared to interfere with anybody's prospects.

34768. You are reducing the value of service in the India Office very greatly if you are going to confer by statute all the prize appointments on outsiders?—Not most of them, but only a proportion of them. If you will give me a list of the appointments, I might be able to tell you what they are.

34769. There are only a certain number an Indian Civilian could have. What are your reasons for these proposals?—I have given one reason, that there should be a stream of the latest men from India with up-to-date experience. The other reason is practically the same, that the India Office will have expert advice at its disposal.

34770. You have no close experience as to the work of the India Office?—No.

34771. In paragraph 9 of the Memorandum of the Central Provinces and Berar Commission Association there is a complaint of the secret manner in which the Annuity Fund is administered. Has your Association ever asked for the publication of the Annuity Accounts?—I am afraid it has not had time to ask, because it has only just been formed.

34772. Has anybody asked?—Not that I know of. I have no information about it at all.

34773. A statement is laid before the Secretary of State every year, and if it is a very serious matter I should have thought you might have asked for it?—I do not know whether any one has asked.

(Adjourned for a short time.)

34774. (*Mr. Madge.*) In answer to question (2) you say: "I have no suggestions." Is it because you would rather not make them, or because you have not thought out the matter?—I have thought out the matter to the best of my ability, and I have no suggestions to make.

34775. In the middle of your answer to question (6) you say: "No board of selection can say how men are likely to turn out as administrators any more than advocates of eugenic theories can foretell the future of babies." Do you mean that no trace of character is discernible up to any age at which that recognition is possible?—No; I would not commit myself to that statement. It is difficult to devise a practical system of selection.

34776. The real difficulty is some test of character, and, of course, if you think that no test of character is discernible early in life, I can see where the impossibility comes in?—Character is formed by the actual work of administration to some extent.

34777. In answer to question (7), speaking with reference to simultaneous examination you say: "If the attempt were made the result would be chaos." Do you mean in the administration, or as regards the education of this country?—I mean as regards administration. I consider it would lose in efficiency.

34778. Do you think it would have any reaction upon education itself?—I am not an educational expert, and I would rather not talk about it.

34779. When you say that you are not in favour of any proposed scheme of representing the communities, have you in mind that any such system would consider individual interests rather than those of the public, because after all the Government is bound to give us the best officers it can get for what it can afford to pay, no matter where they come from?—Yes, that is my view.

34780. Do you think an Indian going to England early in life runs a risk of being alienated to any appreciable extent, on the one hand, from the sympathies of his countrymen, and, on the other, from the influences which would make him more useful here?—No, I should think the English training would probably make him much broader-minded.

34781. And in no degree, and in no sense, alienate him from his own people?—An educated man must be, to some extent, alienated from people who have not been away from India. That is inevitable, I am afraid.

34782. But there are risks. An Indian witness told us that the majority of men who had gone home had turned out bad bargains?—As far as I know, I do not think that has been proved.

34783. In your answer to question (24) you say: "We were living very fast in these times, but it might be possible to live too fast in matters of that description." Do you think that in substituting our "reign of law" for the old paternal system we are getting on a little too fast, not only in backward communities; I am speaking for all India?—You cannot go back; you cannot retrace your steps.

34784. Have you any knowledge as to whether or not we are going too fast? If there was a volume of opinion to that effect, it might not send us backward, but it might put a stop to our rate of progress?—I cannot see that there is any particularly dangerous policy abroad just at present.

34785. It has been admitted that whereas in the old days district officers settled certain grievances in the course of their tours, the tendency of late has been to promote litigation, and with it perjury, and all the other evils?—Surely, that is the inevitable result of advancing civilisation?

34786. Not more in this country than elsewhere?—People may be naturally more litigious. That may disappear with better education.

34787. I am asking you this question with reference to reported facts. Some people think that the administering of justice does not simply mean trying lawsuits, but setting right wrongs, by whatever means doing it?—Deciding cases by common sense and not by law?

34788. Partly that and partly making people who are on bad terms on good terms without going to law at all?—That is done now by the personal influence of officers. They do all they can; but there is a limit beyond which they cannot go. You cannot prevent a man from filing a suit.

34789. You mean that there is a legal limitation?—You cannot forcibly stop a man being litigious if he wants to be litigious.

34790. Do you think that this "reign of law," which is spreading gradually over the country, is promoting litigation, and a good deal of false litigation, with perjury?—I think that is rather a superficial view to take. I suppose it is the same in every country.

34791. Do you think that it is doing good?—Yes; on the whole I think it is doing good.

34792. In answer to question (46) you say: "I attach great importance to residence at Oxford or Cambridge as these Universities provide a more bracing intellectual, moral and social atmosphere than any other type of University." Do you mean because they are residential Universities?—They are not only residential; they have a tremendous reputation, and tremendous historical associations.

34793. As against the result of Scotch Universities which are not residential?—I am not reflecting in any case on any of the other Universities. I only say that in my own opinion I think Oxford and Cambridge happen to be the best.

34794. Best in what respect, as regards what they produce, or in what respect?—I believe it is generally accepted that the standard of education is higher in both of them, although I cannot absolutely prove that.

34795. (*Mr. Fisher.*) What do you mean by your phrase, in answer to question (97), "retrenchment

109144

system"?—If a man is acting in a particular grade, say as a second-class Deputy Commissioner, and he draws Rs. 1,800 a month, he goes on drawing that until a notification appears in the *Gazette* that he has reverted to a third-class Deputy Commissioner. But that notification applies retrospectively during a certain portion of the time that he has actually been drawing Rs. 1,800, and he has to give back what he has drawn in excess.

34796. In answer to Lord Ronaldshay you said that you were of opinion that you secure for the Provincial Civil Service the best University talent in this Province?—Yes, that is my opinion.

34797. Will you tell me at what age a young man generally enters the Provincial Service?—I have not got very accurate information upon that point.

34798. He must be 25; but I do not know whether there has to be an interval between his University degree and his appointment?—There is sometimes, I believe, in the case of the Judicial; but I have not written any answers to the Provincial Civil Service questions.

34799. Would you be very much opposed to seeing part of the Provincial Civil Service recruited by competitive examination? It has been suggested to us by several witnesses that it would be undesirable to recruit the whole by means of competitive examination, because you could not get a due representation of classes and communities, but that it would be desirable to recruit part of it, because in that way you would be certain of drawing the best University talent to the Provincial Service, and you would make the Provincial Service the natural outlet for young University men?—The proposal seems to me to be reasonable, but I have not given it real consideration.

34800. In answer to question (6) you say: "It is necessary that some definite assurance of a career be given, and that this should not as at present be left entirely to chance." I am not quite sure what you mean there?—I am referring particularly to blocks in promotion which take place at frequent intervals. Sometimes a man comes out and has a very excellent career, whilst at another time a man will come out and will find that he is hopelessly blocked until he is on the eve of retirement. The time-scale would do away with that to some extent.

34801. (*Mr. Sly.*) With regard to the statement which has been put in by the Service Association, the block in promotion is there alleged to have occurred owing to certain reasons, the first of which is over-recruitment?—Yes.

34802. That over-recruitment, I understand, was made in certain years in order to bring the Commission up to its proper strength?—Yes.

34803. Then the second point put forward is that certain superior posts have not, as a matter of fact, been held by officers who are drawing superior pay?—Yes.

34804. Is not that simply the result of action by the local administration, or has it any bearing on the real principles of recruitment?—You mean that the local administration would solve the problem by putting in senior men. The reply is that they do put in men but they do not draw superior pay. For instance, I presume you would call a man senior after eight years' service. At the present moment the Registrar of Co-operative Societies has eleven years' service, two Settlement Officers have thirteen and ten years' service respectively, and the Director of Agriculture has eleven years' service. The local Administration cannot solve the problem in that way. The only way they could solve it would be by putting in very much more senior men.

34805. Men actually holding the posts of Deputy Commissioner?—Yes.

34806. You refer to a recent reduction of superior posts in the Government of India. What was the extent of that reduction?—As far as the Central Provinces are concerned, I understand it was one place.

34807. But that was a reduction simply from five to four for the basis of recruitment in the Central Provinces?—Yes.

34808. And to that extent it will benefit the men recruited for the reduced number of superior posts; but what was the actual reduction in the number of posts in the Government of India?—I am not quite sure whether I can give you the information offhand.

34809. As far as the reduction has been made in the Central Provinces for the purpose of recruitment from five to four, that will be an advantage to the men recruited, not a disadvantage. The only loss that the Commission can have suffered under that is a loss in the total number of posts available under the Government of India?—Yes.

34810. Then you have also referred to the fact that the Commission has suffered by the fact that three Berar posts have been listed?—Yes.

34811. That grievance applies only to the men who were recruited from 1905?—Yes.

34812. You have yourself given a personal opinion in favour of the retirement of officers after 25 years' service?—Yes.

34813. And the only exception you make is that Government may, in special circumstances, be able to give such officers extension of service?—Yes.

34814. Do you not think that would lead to the retirement of officers of experience to the detriment of the Administration?—My exceptions allow of extensions.

34815. It only allows extension up to 30 years' service?—After that I have suggested the possibility of another extension for another five years, which brings it up to exactly the same period.

34816. It would also have the effect of increasing substantially the non-effective charges of India, would it not?—That is a point which ought to be worked out by an expert.

34817. You have suggested that the same time-scale should be applicable to both the Executive and Judicial branches of the Service?—Yes, I have suggested that.

34818. We have had evidence to the effect that the Judicial Branch of the Service is not so popular as the Executive, and that special inducements are at present, and must be in the future, given to officers entering the Judicial Service in order to induce them to elect for that Service?—I have no objection.

34819. There would be no objection to improving the prospects of the Judicial branch of the

Service under time-scale by giving them a separate Judicial allowance if necessary?—I have no objection to that.

34820. Would there be any objection on the part of the Service to abolish the special nomenclature of offices in the Central Provinces in favour of that originally followed in Regulation Provinces, the abolition of the titles of Deputy Commissioner, Assistant Commissioner and Extra Assistant Commissioner, in favour of Collector, Assistant Collector and Deputy Collector?—The only objection would be a sentimental one. I do not know whether it would be strong or not. The point has never struck me. There might be a sentimental objection on the ground that "Commissioner" is a better sounding title than "Collector." "Collector" is rather liable to be associated with tax-collector.

34821. (*Mr. Macdonald.*) With regard to the listed posts, in answer to question (38) I see that you have worked out a system of your own in which you have tried to show that your proposals are better than those which were made by the previous Public Services Commission?—My percentage is slightly better.

34822. Is not that on the assumption that the previous Public Services Commission's proposal was to cover the whole of the Indians in the cadre, those who had entered through the English door, and those who had been promoted from below. That, I think, is your assumption?—Yes, that is my assumption.

34823. But is not that wrong?—It is possible to verify it. I am not sure whether it is right or wrong.

34824. Was not the proposal of the previous Public Services Commission that the special promotion should be one-sixth?—I have always understood it to refer to all Indians. I may be incorrect in that, but that has been my assumption.

34825. Under your proposal, as it stands, you would find room for one-sixth of Indians in the cadre, those who come through the English door *plus* those who are promoted?—Twenty per cent. is more than six. It depends upon the number of superior posts.

34826. Your own figure is 52, and you work out eleven as 20 per cent.?—Yes.

34827. And five are now on your list through the English door?—Yes, but they are not all holding superior posts at present.

34828. The assumption is that they have to come along?—They will, that is the assumption, unless they disappear.

34829. Am I right that at the present moment you would only give six? Supposing you are going to start now, you would list six posts?—No; that is not correct. It depends upon how many of the Indians recruited in the Home competition are occupying superior posts at the present moment. It is automatic.

34830. In any event you go back to your fundamental position. Your assumption was that the last Public Services Commission included one-sixth?—That is my assumption.

34831. If the last Public Services Commission meant one-sixth to be promoted men, and to be exclusively those coming through the English door, then your provision would not be quite so liberal?—My provision would hardly be any advance at all.

34832. With reference to your claim regarding vested interests, would you tell me what is the opinion of the Service upon that point? If a man is recruited in a certain year, is it the claim of the Service that every superior post which was in existence for that year became a sort of vested interest so far as his prospect was concerned?—That is practically what it amounts to. It is altogether a rather complicated question. Provided this particular individual obtained a superior post within a reasonable time he would not have any grievance.

34833. Take the present condition of the Service. Supposing you are recruiting a man to-day. As I read it he is recruited under certain Orders, and presumably with a certain knowledge of the flux and flow of the Service. The Service is not a static thing, it is a dynamic thing. He is recruited into a Service which is squeezed, this one in one direction one year, and the second in that direction in another year, as all public offices must be?—The changes are not so rapid.

34834. I am exaggerating, in order to get exactly what is in your mind?—That is the point.

34835. One of the things he is recruited under is this Order which was issued from Simla on the 6th August 1910. It says: "The local Government may appoint any member of the Provincial Civil Service subordinate to it, who is a Native of India, and of proved merit and ability, to any of the offices, places and employments ordinarily held by members of the Civil Service of His Majesty in India." That is one of the conditions?—Yes.

34836. At any rate, it is quite clear that it has been in operation since 1910?—Yes. But you cannot get away from the fact that you cannot interfere with and terminate a man's career abruptly. If you recruit a man, you must give him a career.

34837. If you recruit a man, you put him into the Service?—Yes, but he should not be subject to capricious action.

34838. You would define the listing of posts as capricious action?—Supposing you suddenly listed forty posts would not that be capricious action? You would deprive twenty or thirty people of the chance of living.

34839. I wanted to get your view. Supposing we felt that more listed posts should be created, a reasonable number, and a number which we could say for the next ten years would not be capricious under the Order of 1910 which I have read, would you say that that reasonable number of listed posts would be a violation of the vested interests of the men in the Service?—Yes, distinctly. You must make some allowance for the men already recruited. That is only fair and equitable. I do not think there can be two opinions about that.

34840. Do you take the view that the posts which are in existence the moment that a man is recruited to the Service become a part of the contract which the Government has with him?—I take that view.

34841. In spite of the Order of 1910?—Yes, in spite of that.

34842. (*Mr. Chaubal.*) As I understand your scheme, you are not of opinion that the Indians should cease to be recruited through the open competition in London; it is not part of your scheme that they should cease to be recruited through the English door?—No, I do not propose to stop that.

34843. At the same time, I gather from one of your answers you think that fit Indians should be promoted more into the listed posts?—There has been a doubt thrown upon my 16 per cent.

34844. You say: "The best method of recruiting Indians into higher appointments is by selection into the Provincial Civil Service." So that you want to see that the aspirations of Indians for larger employment in the higher Service are gratified by promotions from the Provincial Service?—As it is at present.

34845. That would, I suppose, mean that more of the superior posts should be opened for fit men in the Provincial Civil Service?—It depends where you are going to stop. I do not want to commit myself to any definite percentage.

34846. Do you contemplate, as a possible result of your scheme, that you would be actually cutting down the number of posts which at present form the incentive to the Provincial Civil Service?—It depends upon the recruitment of Indians in England entirely.

34847. You are not going to stop that?—I am not going to stop that.

34848. Let us work it out. At present there are in all 660 superior posts in India, between India and Burma?—Yes.

34849. So that out of 660 posts, according to your percentage, 132 posts become available for Indians, 20 per cent.?—Yes.

34850. 132 places become possible?—My view is confined to the Central Provinces. I know nothing about other Provinces.

34851. We shall see how it works. Out of 132, there are 56 listed posts in all?—Yes.

34852. Deducting 56 from 132, it leaves a balance of 76?—Yes.

34853. And out of the 76 there are at present working in the cadre of the Civil Service throughout India 56 Indians?—That leaves a balance of 20.

34854. So that between promotions from listed posts and recruitment by the competition door there is only scope for the employment of twenty more?—Under my 20 per cent. Rule, yes.

34855. Supposing in three years more 20 Indians come out successful in the competition, then you would cut away all the listed posts?—In the meantime some of the other people would have retired.

34856. Supposing nobody retires within the next four or five years?—That would be the inevitable result.

34857. If the scheme is adopted, the tendency must inevitably be in the near future to diminish the number of listed posts. If the listed posts and the recruitment from the Home door are only to constitute 20 per cent., then the natural result of adopting your proposal must necessarily be that in the near future the listed posts must gradually diminish?—Does not that depend on the number of men recruited in England. If that does not increase, the Provincial Civil Service would probably get about the same.

34858. Is it, as a matter of fact, increasing?—I do not know. I have not the facts before me.

34859. Have you tried to ascertain how many go each year, and how many come in? How many Indians, on an average, come out successful through the English competition door, and how many retire from the Indian Civil Service?—No, I have not that information.

34860. If you work that out, as I have tried to do, I think you will find that the net result of adopting your proposal must necessarily be that in the Provincial Civil Service the listed post must gradually diminish?—That is a possibility.

34861. In answer to question (37) you say: "The merging of the inferior listed posts in the Provincial Civil Service has satisfied to a great extent the aspiration of the educated classes to share in the administration of the country." May I ask you if the result of merging these listed posts in the Provincial Civil Service has been anything more than making a few more appointments in the higher grades? Take, for instance, Extra Assistant Commissioners, or Deputy Collectors, as we call them in our part, then merging the listed posts in the Provincial Civil Service means really, that instead of having four Deputy Collectors you have eight?—Yes, that is what it practically amounts to.

34862. You think that the legitimate aspirations of Indians for employment in the higher services would be satisfied by creating a few more posts in the Provincial Service?—If they say they are not satisfied, I cannot contradict it. That is all.

34863. I want to know what your idea is of the legitimate aspirations of Indians for employment in the higher service. If you speak about aspirations to fill the higher posts, that a person who considers he is fit and that it should be open to him to aspire to the highest post under His Majesty, that I consider to be the aspiration of the Indian. You think that that aspiration ought to be satisfied by giving four or five places at Rs. 400 and Rs. 500 a month?—They have got the open door in England, and they have got the listing system.

34864. I am now confining myself purely to the Provincial Service. Do you think that any service can be satisfied when the highest prospect that you lay before it is a service which only goes up to Rs. 800?—Those are the conditions of the Service. They know they are recruited to that Service on those conditions.

34865. What is it which leads you to say that their aspiration has been satisfied by listed posts being merged into the Provincial Service?—I have qualified that by the words "to a great extent."

34866. There are one or two questions I should like to trouble you with in connection with your answer to question (88). At one time in this Province, Civil, Criminal, and Executive work were all done by the same officer?—Yes.

34867. And the differentiation which has been effected at present is that the civil work is exclusively done by one set of officers?—Yes.

34868. While the criminal and executive work is done by another set of officers?—That is not quite accurate: it is roughly accurate.

34869. As I gather from your answer you would be against a further differentiation between the two latter functions that I have referred to?—Yes.

34870. Do you advocate the theory that there should be two branches of the Service, Judicial and Executive, that the Judicial Branch should do all the Judicial work and the Executive branch should do all the Executive work?—By Executive, you include criminal work?

34871. I ask you whether you would include it or not?—My views are given here. I do not propose to take away the criminal work. I propose to leave the criminal work to the Executive officer.

34872. Do you consider that the criminal work should be part of the Judicial work, or not?—It is Judicial work.

34873. At present your Judicial Branch, if it is understood as meaning the Branch in which the whole Judicial work is done, is a misnomer?—That is quite correct.

34874. I want to know what is against this differentiation?—If people want to make a change the people who propose the change should give reasons for the change, and then I can give my objections to the reasons. Where you find the existing state of things working quite satisfactorily, the burden of proof lies upon those who want to make the change.

34875. The great question is whether it is working satisfactorily?—It is in my opinion. If you can show me any evil, I will give you my opinion.

34876. We have had evidence from a fairly large body of persons who think the other way?—But have they given actual facts?

34877. I want to know what would be the evil, apart from any question as to proof. Why it should be wanted? Supposing there is differentiation in the Criminal, Judicial and Executive functions, what are your points against that?—The people themselves would strongly object to it.

34878. When you say that the people themselves would strongly object to it, may I ask you what people you are thinking of? Let us take a concrete instance. Some questions have been put to other witnesses upon this point as to what the ignorant masses of the people think, and I suppose it is to that to which you are now alluding when you speak about what the people think?—They would not be able to give an articulate expression to their views.

34879. Take a concrete case of A, one of these masses, being charged with an offence under the Abkari or Forest Act, how are the ignorant masses concerned with this question as to who tries A? I want to get at the feeling of those who urge this argument. Take the concrete cases of A or B being charged before a Magistrate, who does both Judicial and Executive work, if he says that his trial should go on before a person who does purely Judicial work and is not a Magistrate, how are the other three hundred millions, the ignorant masses about whom so much has been spoken, concerned in this question? It is only a question of the person who is directly accused before a particular Magistrate?—You must take the whole result of the proposal. The whole result would be the destruction of the District Magistrate's influence through the District.

34880. What have the whole of the law-abiding public or the masses in general got to do with who tries A, B or C? It is only the person who is directly accused before the Court, and his representatives, who would be concerned. How could it concern anybody else?—They would think that the next week they might be tried for the same offence themselves.

34881. And in that case you would have to consult them?—Yes.

34882. Whenever you speak of a concrete case, you would have to take the opinion not of all the ignorant masses, but of those particular individuals who happen to be in the unfortunate predicament of being accused before Criminal Courts?—Yes.

34883. Has there been any means of measuring what the opinions of those persons are?—Do you mean whether they have been actually asked upon the point?

34884. When a person says that people do not want it, does that person say it after taking this into consideration, that as a matter of fact the pertinent opinion upon this point would be of the persons concerned, and not of the rest?—It affects the rest in so far as the same circumstances may arise.

34885. So far as the opinions of those men at the Bar, Pleaders and others who represent the accused before these Courts are concerned, their opinion is all one way: they would rather prefer a Magistrate who has no Executive work to do. Is not that your belief of the feeling?—No. As far as my experience goes there is no feeling in this Province at all upon that point.

34886. On the practitioners' side? I am only here referring to the opinion of the practitioners?—There may be a feeling from a theoretical point of view, but from a practical point of view, I do not think there is any feeling at all, though they may come forward and tell you that there is a feeling.

34887. Do you consider that that is the belief of the practitioners?—I consider that the practitioners are of opinion that there is no real evil existing in the Central Provinces at the present moment.

34888. Am I to understand that instead of the nineteen posts at present you wish to have 58? You propose alterations of the grading and pay; you propose a certain number of first class Deputy Commissionerships, and so on, making a total of 58?—But those are not all superior appointments.

34889. I do not say that they are. Am I understanding you correctly if I put it in this way, that you propose 58 officers where at present there are 19?—No, that is quite incorrect.

34890. You have at present only one Commissioner at Rs. 2,750?—But we have five actual Commissioners working.

34891. Is this meant both for the Judicial and the Executive ?—Yes ; it has not been separated.

34892. (*Sir Murray Hammick.*) With reference to your remarks in answer to question (42) and other questions, in which you talk of the vested interests of civilians, I presume what you mean is that you do not think on grounds of equity that the authorities should take away any large number of appointments from the prospects of the junior civilians without compensating them in some way for the loss that would occur to them ?—That is practically what I mean.

34893. You do not mean to say that if the Government chose to give appointments to anybody they cannot do it ?—They can do it. They can do anything they like.

34894. The notification which Mr. Macdonald drew your attention to more or less says that the Government of India makes the following rules which have been sanctioned by the Secretary of State, and then proceeds to say: "The local Government may appoint any member of the Provincial Civil Service subordinate to it, who is a Native of India, and of approved merit and ability to any of the offices, places and employments ordinarily held by members of the Civil Service, of His Majesty in India, to fill which it has been declared by such local Government (by notification in the official *Gazette*) that members of such Provincial Service can properly be appointed." That refers to the appointments which have been listed not by the local Government, but by the Secretary of State ?—Yes.

34895. I suppose when the last appointments were listed by the Secretary of State in this Province, as certainly happened in the Province of Madras, the Secretary of State when he listed his appointments did make the reservation that certain of those appointments were to be listed, and given to Provincial Service officers until the claims by certain officers of certain years had been fulfilled. That was done here ?—Yes.

34896. And that is a precedent which would probably hold in the future ?—Yes.

34897. That is all you mean ? You have been led by precedent to believe that that is what would happen ?—Yes.

34898. With regard to your answer to question (110) you say you would press for equal treatment with other Services, namely, a privileged rate of 1*s.* 9*d.* Are you speaking there on behalf of the Civil Service Association ?—No, that is my private opinion.

34899. Why do you think that a Civilian should get 1*s.* 9*d.* on furlough ?—It is one method of improving furlough allowances.

34900. Surely it would be much better to improve furlough allowance by giving furlough pay ?—The suggestion is made assuming that the other proposal is not carried out. It is only an alternative.

34901. Do you think that the minimum furlough allowance which is at present granted of £500 a year is generally sufficient ?—Yes, I think it is.

34902. You would not recommend an alteration of the minimum ?—I have not given any thought to the matter of altering the minimum.

34903. If it comes to a question of raising furlough pay, would you like to see the minimum pay increased rather than the maximum increased ? The maximum is £1,000 a year. You cannot get more than that when you are on furlough. Which of those falls most hardly on the Service, the minimum or the maximum ?—I should like more time for considering that point. I am not prepared with an answer.

34904. With regard to your answer to question (115) would you like to see the present rules of the Civil Service Regulations entirely abolished, and the granting of leave and furlough left entirely at the option of the Government ?—No, subject to the amount of leave earned by the officer.

34905. Do you not think that that would very likely lead to a very great uncertainty whether you were to get leave or not, and also there would be suspicion of favouritism with regard to officers who did get leave ?—That is the objection to it, I admit.

34906. Have you not often heard that certain officers are always getting leave, and that certain other officers never get leave ?—I do not think we have cases of that sort.

34907. In answer to question (114) you say: "It is certainly true that the little discretion left with the local Administration in the matter of granting leave" : surely an officer in charge of a local Administration unless a man wants sick leave, or unless he wants leave on urgent private affairs, has complete discretion as to granting leave ?—Sometimes the head of the Administration cannot let a man go when he really wants him to go, and it would suit the convenience of the Administration that he should go.

34908. You mean that sometimes he would like to let an officer go when he is not entitled to leave under the Regulations ?—Yes.

34909. Otherwise he might always prevent an officer going ?—Yes, he has complete discretion.

34910. In answer to question (115) you say: "A certain stigma is attached to furlough on medical certificate." I suppose what prevents a man from going on medical leave is not that there is a certain stigma attached to furlough on medical certificate, but that he has to get a medical certificate in order to be able to come back again ?—If a man goes upon medical leave, he is looked upon rather as a weakling.

34911. What really actuates a man in preventing him from taking furlough on medical leave, if he can possibly help it, is the fact that he knows that when he gets home he will have to go to a doctor before he can get back again ?—It depends upon the state of a man's health.

34912. Do you not think if you abolish the Civil Service Regulations as regards leave that you start a great feeling of uncertainty amongst officers as to whether they will get leave or not get leave ?—They cannot demand leave at present.

34913. But a man under the Regulations can point to the Regulations under which he has earned leave and say that he is entitled to get that leave unless the Commissioner give some reason why he should not go. If it is left entirely to the Commissioner, he might say: "You have not done your work properly for the last

two years, and I am not going to give you leave "?—That would be a fair answer.

34914. You cannot do that now. Would it not be considered an extraordinary innovation to say, "you have done your work badly for the last two years, and therefore you are not to go"?—I do not think it would. There is no precedent for a thing like that, as far as I know.

34915. What I mean is this. These Civil Service Regulations have been built up on various cases, and always come up from time to time, and may be taken to be the written-down experience of many years. Do you not think it is rather a dangerous leap in the dark to sweep away all those Regulations and allow leave to be left entirely to the option of one man's will?—There is a danger, I admit, but it seems to me to be the more sensible policy.

34916. (*Mr. Mahdi Hasan.*) In reply to question (9) you say that you do not consider the system of competitive examination is suited to the conditions of India; and in reply to question (14) you refer to Eurasians, etc. They are as much entitled to be classed as "Natives of India" as Parsees or any other community. I want to ask you whether you exclude persons of mixed European and Indian descent also?—I do not see any objection to competitive examination amongst the people of mixed descent.

34917. That is to say, you would let them compete with Europeans in England?—Yes. I have raised no objection to that.

34918. You would not like Indians to appear at the examination in England?—I have raised not the slightest objection to that.

34919. In reply to question (38) you say that Indians are handicapped in their administration of a district by virtue of their nationality. Do you know that at present there are two Indians who are non-Indian Civil servants in the Central Provinces, namely Mr. Chitnavis and Mr. Rustomji, who have been Assistant Commissioners, and have been promoted from the grade of Assistant Commissioners to the post of Deputy Commissioners; that they were promoted in different grades of Deputy Commissioners to officiating Commissioners, and for a long time one was a Commissioner of a Division in the Central Provinces and the other, of the important Division of Berar, and is now Commissioner of Excise and Inspector-General of Registration? Have you any reason to say that they have been so handicapped?—I have absolutely no reason for saying that.

34920. Or the other Indian gentlemen in the Berar Commission?—No, I have no reason at all.

34921. You also say in answer to the same question: "I am also absolutely convinced that the governed, both the educated classes and the cultivators, far prefer to see an Englishman at the head of the district." Will you tell me how you have been so convinced?—No, I am afraid I cannot.

(The witness withdrew.)

KHAN BAHADUR HAFIZ MUHAMMAD WALAYATULLAH, Extra Assistant Commissioner, Amraoti.

Written answers relating to the Indian Civil Service.

34922 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The present system of recruitment by an open competitive examination in England is generally satisfactory in principle. It removes all favouritism and makes no distinction of race and religion. Undoubtedly it affords great advantages and offers great facilities to Europeans, and it is true that Indians are generally very much handicapped on account of the long distance and the great expense. But Education and Training in England must be presumably far superior to what they are in India. Consequently if the examination is held in India it will only lead to deterioration and will affect the general efficiency of the Administration. I have spent my whole life in India and have had no opportunity of going to England. I speak with my limitations. But I have had opportunities of forming my opinion as to the relative capacity for originality and initiation and the general administrative talent of Europeans and Natives of India, and I have no hesitation in frankly admitting that according to my personal conviction an average European is superior to an average Indian both in powers of mind and body. This is as it ought to be from the circumstances. The excellent institutions in England and the general environment, coupled with the bracing climate of that country, must make a great difference between the products of the two countries. Modern civilization in India is yet in its infancy and has yet to break through the conservatism of centuries greatly accentuated by a complicated caste system and the multiplicity of religions.

34923 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—Simultaneous examination in India will not be successful. It will be subject to many limitations and will give rise to a large amount of discontent. It will be for the benefit of a few advanced communities. In course of time the whole service will be swamped with Natives of India and probably these will not represent all the communities of this country. It is absolutely necessary that Government should be carried on with Western ideals and for this Western culture is necessary. This can be achieved only by residence at one of the approved Universities in England.

34924 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—Neither the system

of simultaneous examination nor of separate examination in India is likely to work satisfactorily. Men who will pass through a purely Indian examination will be considered as inferior in qualification to those passing through the English examination.

34925 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—The one great objection that is urged against the present system is that it practically shuts out Indian youths. I think this could be overcome by the grant of a few special scholarships to enable a few students to go to England for purposes of the competitive examination every year. In granting these scholarships the claims of all classes and communities should be duly considered.

34926 (11). If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—I am not in favour of shutting up the English door for the Indians in any case.

34927 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services. If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—If special scholarships cannot be arranged I would recommend that the number of listed posts might be increased to satisfy natural aspirations of the educated classes and to give an increased share to the Indians in the administration of the country.

34928 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—The system of appointing Statutory Civilians may not be revived.

Written answers relating to the Provincial Civil Service.

NOTE.—All the replies refer to the Executive Branch of the Provincial Civil Service except where it is stated specifically otherwise.

34929 (1). Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The conditions are suitable and I have to suggest no alterations.

34930 (2). Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your Province. Are these rules suitable, or have you any recommendations to make for their alterations?—I have only to suggest that in making appointments by nomination with a view to secure adequate representation of all sections of the community the standard of ability required for the efficiency of the service should not be lowered, and it will be well if the rule requiring that only a "B.A." or a "B.Sc." will be eligible for direct appointment is made as one of general application. Riding may be added as a necessary qualification.

34931 (3). Please see the statement showing the constitution of the Provincial Civil Service reproduced as Appendix B to these questions, and state whether the information is correct for your Province. If not, what alterations are required?—The information is correct.

34932 (4). Please state the different systems of recruitment that have been adopted for the Provincial Civil Service, the periods for which they were in force, and the number of officers recruited year by year in your Province under each system since its formation?—The only systems of recruitment followed in these Provinces have been those of nomination and promotion from the subordinate service. No fixed number is recruited annually. Direct appointments or promotions have been made according to the number of vacancies that occurred or according to special requirements from time to time.

34933 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend? (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—(6 and 8.) The present system of recruitment for the Executive Branch is direct nomination or promotion from the subordinate service. The system of appointment by nomination is satisfactory inasmuch as it secures due representation in the service of all classes of the community, and gives a chance of admission to qualified men of ancient respectable families which, by reason of loyal and faithful services to the State in the past, have a special claim on the patronage of Government. These may have no chance of admission if only a system of pure competition is introduced. But the system does not guarantee that only the best men will be admitted, and candidates have to wait very long before they get a chance. Since some members of this service are ultimately appointed to listed posts, it seems necessary to secure some men with the highest intellectual attainments. This can only be done by open competitive examination. Before admitting candidates to the examination, satisfactory proof of respectability and good character

should be obtained and undesirable candidates might be excluded. The system of nomination cannot, however, be entirely dispensed with, as it is necessary in order to secure adequate representation of each important section of the community. Recruitment by promotion from the subordinate service is also very desirable in order to give a chance to men who have proved efficient as Tahsildars and who appear fit to take up the higher duties of an Extra Assistant Commissioner. I beg to suggest that two-fifths may be appointed by competition, another two-fifths by promotion from the subordinate service, and the rest by nomination. By this course the natural ambitions of the educated classes will be satisfied. Efficient men of the subordinate service who may be fit for higher posts will also get their just share, and the various communities will be also duly represented.

34934 (7). To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?—Ordinarily only residents of the Province are appointed, but a few years ago some outsiders were imported to represent minor communities, as qualified men were not available locally. I consider this was right. Ordinarily only residents of the Province should be appointed, but the rule may not be a hard and fast one.

34935 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and if not, what alterations do you recommend? (10). Is the existing system of Departmental examinations suitable, and if not, what changes do you recommend?—(9 and 10.) The present system of training and probation is that in the beginning some light work is given to all the officers and they are required to pass the departmental examinations. This is satsfactory and I have to make no suggestions.

34936 (11). Do you consider that any change should be made in the classes of officers and appointments at present included in your Provincial Civil Service?—(Judicial Branch.) I propose that Munsifs should belong to the Provincial and not to the Subordinate Civil Service. As Subordinate Judges are invariably chosen from amongst Munsifs, there is no real distinction between the two services to justify a differentiation in the nomenclature. The existing last two grades of Munsifs might be abolished, which will improve prospects of the Service. Pleaders of three years' standing would then become available and it would then be easy to follow Rule V of the Resolution of the Government of India (Appendix A). This rule is not followed at present, as there are no direct appointments to the Provincial Service. All first appointments are made in the Subordinate Service and it is from amongst the Munsifs that appointments are made to the Provincial Service. The first appointment is made ordinarily within a few months after one obtains the degree of Bachelor of Laws at an Indian University.

34937 (12). What is the system on which the strength of the Executive Branch of your Provincial Civil Service is fixed? Do you consider it satisfactory, and if not, what alterations do you recommend?—In spite of the several expansions of the Service, the total number of men in it is still insufficient. The volume of work has been steadily increasing in consequence of the ever-increasing complexity of the Administration. Work of new kind is being added daily to the ordinary duties. The staff is being overworked, which results in break-down. Touring has also decreased, and even when an officer goes out in camp, he hardly gets any time to look into local matters, as the whole of his time is taken up by the cases on his file and important references from head-quarters. I believe that since the cadre was revised the conditions have considerably altered. The number of men on Foreign Service now is far greater than what was anticipated. The number of those on special duty is also greater. This has to some extent been compensated by the appointment of temporary Extra Assistant Commissioners, but these appointments have been made only in the lowest grade, and the bulk of important work has fallen on the shoulders of men in the upper grades.

34938 (13). In particular, is the leave reserve adequate, and the system on which it is graded suitable?—There is a leave reserve of 14 per cent. of the strength of the Service. This is adequate.

34939 (15). What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion?—There is no fixed annual rate of recruitment; appointments are made according to the number of vacancies and whenever they occur. Recruitment is made partly by direct nomination of Probationary Extra Assistant Commissioner and partly by promotion from subordinate service. Recruitment by direct nomination is therefore adjusted by a consideration of the claims of deserving men of the subordinate service. This is quite satisfactory. But promotion is exceedingly slow, more particularly in the lower grades of the service. Various causes contribute to this state of affairs: among others I may mention that the service is so constituted that men who are appointed on Settlement duty, Foreign service, or any other post whatsoever, are not seconded and consequently there are no officiating promotions. Secondly, in the majority of cases members, even after they have completed 30 years' service or 55 years of their age, are permitted to stay on. In an inelastic Service like this, the natural consequence is that there are very few vacancies and the rate of promotion is necessarily very slow.

34940 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—At present promotion to the Rs. 500 a month and higher grades is not regulated by mere seniority but is governed by considerations of efficiency also. In view of the general rise in prices and the increased cost of living I would suggest that promotion up to Rs. 500 may be regulated by considerations of seniority as is done at present up to Rs. 400 grade. Promotion thereafter must be made by selection on considerations of efficiency and fitness.

34941 (17). Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—The present system of promotion above a certain fixed grade by selection on considerations of efficiency is very fair, and I do not think there could be any reasonable grievance on the part of the members on that account. I advocate its continuance. I am not in favour of compulsory retirement of inefficient officers, as there is no such rule at present in force for any other service and it will deprive such officers of all opportunities to reform themselves. It will be sufficient, I think, to stop their future promotions until they proved themselves efficient. Besides, at present after the Rs. 400 grade only efficient men are selected for promotions. Those that are found inefficient are thus kept back, which is sufficient. In the upper grades the subsequent inefficiency will, in the majority of cases, be due to breakdown in health, and under the circumstances stoppage of further promotion appears to be sufficient.

34942 (18). To what extent are the functions of the officers of the Executive and Judicial Branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—The offices of Munsif and Sub-Judges are now quite separate from those of Tahsildar and Extra Assistant Commissioners. The former do only civil work and the latter criminal and revenue work, but in the Central Provinces they also take up suits of a civil nature that arise between landlords and tenants as such. The civil and criminal powers are combined in the District and Sessions Judge, but he does not exercise any revenue powers. I would suggest that suits between landlords and tenants as such may also be transferred to the Civil Judges. I think that the criminal and revenue powers might continue combined as at present. If executive functions are taken from an officer, it would greatly weaken his position and affect his influence.

34943 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—The present arrangement by which some of the superior posts are listed as open to officers of the Provincial Civil Service is satisfactory in principle, but the number of such posts is too small and besides they are not equitably divided between the two services, Executive and Judicial, which form entirely separate cadres now. For the Central Provinces there are at present 3 listed posts, *viz.*, one Deputy Commissionership and one Judgeship and one Deputy Commissionership or Judgeship. It has been seen that out of the alternative appointments that of a Judge has been usually filled up whereby two of the listed posts were conferred on the Judicial Branch and only one Deputy Commissionership was left over for the Executive Branch. This one post has hitherto been held by a Statutory Civilian who, in fact, belonged to the Commission, but for purposes of the listed posts has been treated as practically belonging to the Provincial Civil Service. The consequence is that so far as I am aware no member of the executive branch has hitherto been permanently appointed to a listed post. The two Small Cause Court Judgeships used at one time to be filled by members of the Indian Civil Service but subsequently they were listed as open to members of the Provincial Civil Service. They were afterwards amalgamated with the cadre of the Provincial Civil Service and after the lapse of some further time ceased to be posts of any special importance, inasmuch as Sub-Judges have also been appointed to them. Even granting that the transfer of these posts conferred any position of honour on the Provincial Service, its benefit went over entirely to the Judicial Branch. Since Executive Extra Assistant Commissioners cannot expect to be appointed as Divisional Judges their only chance remained to be appointed to the headship of a district. It is undeniable that both the services, Executive and Judicial, have been greatly reformed since they were constituted. The number of posts has been greatly increased and the emoluments have been improved by the creation of upper grades or increasing the number of posts in those grades. But this expansion has been made almost in every service and has not been confined to the Provincial Service alone. The tremendous rise in prices and the general cost of living, as well as large increase in the volume of work, necessitated an increase in the number of men as well as a revision of their rates of pay. This expansion ought not to be set off against the natural aspirations of the members of the Executive Branch for some of the prize posts. The question of the listed posts is one not so much of pay as of position. In fact members of the Provincial Service actually draw better salary in the upper grades than the members of the Commission do in the earlier stages of their career. But it has been conceded that a few selected members of the Provincial Civil Service should rise to a fixed number of the superior posts. It serves as an incentive to all the members to take special pains to make themselves efficient, and such of them as may be deemed fit might be rewarded by the conferment of this high position of trust and responsibility. Since the 3 posts were listed as open to members of the Provincial Service, circumstances have undergone great changes. The number of superior posts has increased as well as the number of men in the Provincial Civil Service. In the list H the number of the listed posts is shown as six apparently because in Berar there are three Deputy Commissioners who are Natives of India. But these officers occupied a different status when Berar was

transferred to the Central Provinces. They were members of a Commission that was not recruited through the Indian Civil Service, but they did not belong to the Provincial Service. If for the matter of the listed posts these officers of the Commission are also treated like the statutory civilians, the result will be that for many years more no member of the Executive Provincial Service could expect to get a listed post. The amalgamation of the two Provinces has widened the field of promotion for every service. It is hoped that it would also improve the prospects of the Provincial Civil Service in the matter of listed posts. When this takes place, it is hoped that the distribution of these posts will be so made that there may be equal opportunities to members of both the branches of the service. In this connection I beg also to submit that selection might suitably be made earlier so that the members selected might reach the office at a time of life when they possess the necessary vigour and energy to take up the duties. Promising men should be marked out at an early stage of their service and the appointment may not be postponed until they reach the highest grade. Such men might be appointed for purposes of training to the minor charges known as sub-divisions carrying special allowances as soon as they reach a fixed grade. A few such charges might be created in the Central Provinces. In Berar they already exist. The present system of selecting members of the Judicial Branch only for the office of the Divisional and Sessions Judge requires modification. Members of the Executive Branch are not appointed to this office because they have no experience or insufficient experience of civil work. Members of the Judicial Branch also do not do criminal work ordinarily until they are appointed to this office. It will be well if the office of the Divisional and Sessions Judge is split up into two, the Divisional Judgeship to go to the District Judges and the Sessions Judgeship to selected Extra Assistant Commissioners.

34944 (20). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—A listed post being merged in the Provincial Civil Service ceases to be a listed post and becomes part of the Provincial Civil Service cadre. The listed posts must always remain separate and intact, and in that case only they will be looked upon as posts of special importance.

34945 (21). Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?—I beg to suggest that the Provincial Civil Service may be called the Uncovenanted Civil Service, and instead of Extra Assistant Commissioners the officers may be called either Deputy Collectors or Assistant Commissioners, some other nomenclature being adopted for the present Assistant Commissioners.

34946 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—The principle laid down in the question is satisfactory but the aim should be not only to secure men of *desired* qualifications for the disposal of routine work but also to secure the services of some of the *best men*, since some of these officers are ultimately appointed to the listed posts. This point should also be taken into consideration when the rates of salary are fixed. The scale should be so arranged that it may be attractive and should always enable the officers to maintain properly their official position.

34947 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—The creation of a grade of Rs. 200 which did not exist before 1902 was not in my humble opinion justified by the circumstances. The lowest grade till then was that of Rs. 250, and the tremendous fall in the value of the rupees as well as the great rise in the level of comforts necessitated the fixation of a higher salary even for the lowest grade. But a lower grade was created which now consists of 12 posts. Men who are appointed by direct nomination have to begin with a salary of Rs. 100 per month, and on confirmation, which generally takes place after two years, they begin to draw Rs. 200. This grade takes about 5 years to pass through and the consequence is that members have to spend much longer time in the lower grades now than before. It is after the lapse of a space of about 7 years that an Extra Assistant Commissioner reaches the place where an Extra Assistant Commissioner stood at the commencement of his service formerly. The chances of promotion to a listed post have also been proportionately lessened. These poor prospects, coupled with the inconvenience and expense arising from transfers, which are more frequent in the early stages of the service, deter the majority of men of ability from going up for it. If qualified they would prefer to practise as pleaders. The grade of Rs. 200 comes as an obstacle in the way of recruitment by promotion from the subordinate service. The pay of a Tahsildar of the first grade is Rs. 250 and that of the next grade is Rs. 200. So that when men drawing these salaries are promoted to the Provincial Service they find either no increase in salary or a positive decrease in it. This has been compensated in some cases by the grant of special allowances recently but undoubtedly the difficulty still remains. A short time ago the Judicial and Executive Branches formed one service in the Central Provinces. The separation took place in 1905. A grade of Rs. 200 was retained for the Judicial Service also, but since the reorganization of 1907 the grades of Rs. 250 and Rs. 200 were abolished from the Provincial Judicial Service and such grades were transferred to the subordinate service. But so far as the Executive Branch is concerned these grades were not only retained in 1907, but the

number of posts in them was increased. For the above reasons, as well as on general grounds, I would recommend the abolition of the grades of Rs. 200 and Rs. 250. The number of posts in the upper grades might be increased. The number of listed posts is bound to be very small, and in view of the very important administrative duties that are entrusted to the members throughout their service, and in order to render the service more attractive, two upper grades of Rs. 1,000 and Rs. 900 might be added. It would not be out of place in this connection to add that the Executive Branch is one of special importance in respect of the ordinary and extraordinary duties that are performed by them. The Criminal and Revenue work form their principal duties, but in connection with almost every other work of a special character—famine, plague, pestilence and a hundred other minor and major administrative measures of the Government—a great deal of work is transacted by these officers out of all proportion to their ordinary duties.

34948 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—The present system under which officiating promotions are not made in the Provincial Civil Service is not satisfactory and has been considered as a grievance. If a time-scale of salary is not introduced, the members would welcome an arrangement by which such promotions may also be extended to them. I realize that settlement posts form part of the cadre and that it was also settled in 1907 that a certain number of officers would remain on Foreign Service in the Province. But I think that the service has not been a self-sufficient one, inasmuch as several temporary appointments have to be made in the lowest grade in order to secure the full complement of men. Besides, promotion is exceedingly slow and very few officers can expect to reach the highest grade before retirement. Either the number of posts in the upper grades might be increased so that officers may get promotions in a reasonable time, or an arrangement be made which would make them eligible for these temporary promotions. The service might be divided into classes instead of grades.

34949 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—I would welcome a time-scale of salary for the entire service. But if this be impossible, it may be granted in the lower ranks until the Rs. 500 grade is reached.

34950 (27). As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?—I think that an Extra Assistant Commissioner may begin with Rs. 300 and may be given a promotion of Rs. 100 after every five years until the Rs. 500 grade is reached. It will take for him two years to be confirmed, and in this way he will reach the Rs. 500 grade in 12 years. Promotion thereafter will be by selection and such of them as may be found efficient may be given an increment of Rs. 100 after every four years until the Rs. 800 grade is reached. Thereafter an increment of Rs. 100 may be granted after every three years. In this way an officer will reach the Rs. 1,000 grade after 27 years' service. Since inefficient men will not be promoted after the Rs. 500 grade and as members who were recruited from the subordinate service will retire long before the higher grades can be reached, and further as vacancies caused by deputation or otherwise would not be filled up, the number of those in the upper grades will not be abnormal.

34951 (29). If you recommend any kind of time-scale of pay please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance? How do you propose to apply such time-scales in provinces where the scale of pay of the executive and judicial branches of the service is different?—I have described the scheme above. No officiating promotions may then be given and no extensions of service may be granted to time-expired men except to those who are appointed to the listed posts. No charge allowance may then be paid except when an officer is appointed to the charge of an independent Sub-Division.

34952 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—In view of the changed circumstances, increase in the cost of living and the general level of comfort, such officers may be paid $\frac{3}{4}$ths instead of $\frac{2}{3}$rds as at present.

34953 (31). Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—I believe that officers of Provincial Service take less leave now than they did 10 years ago. This is due to increased expenses and fear of transfers which cost very heavily.

34954 (32). Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—Such leave can be accumulated at present up to three months. This period might be extended. An officer may earn one month for every eleven months of active service as at present, but he may be allowed to accumulate it up to six months. Members of the Judicial Branch may be given a fortnight's leave every year on full pay and may be allowed to accumulate it up to three months. On account of the great expenses to which one is put while on leave and the cost of transfer that follows in the majority

of cases, the members do not avail themselves of all the leave on full pay that may be due to them.

34955 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—Furlough is taken by Indian members of the Provincial Service, except very rarely, generally towards the close of their service. This is due to the fact that the majority of them find themselves in poor health and unable to continue in active service, and to complete full service with the object of earning full pension they take the furlough. If the age limit for pension is not reduced, the furlough allowed at present by the rules might continue. An officer may be allowed to take two years' furlough on half pay or one year's on full pay.

34956 (34). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—The rate of furlough allowance in the case of the Indian Services requires a little modification. Instead of half average salary half salary may be allowed.

34957 (35). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?—Officers on medical leave are allowed half the salary without allowances for the first fifteen months and thereafter a fourth up to a total period of three years. A man on sick leave has to spend much and may be allowed half salary for the first two years and a third for the 3rd year. Such cases are however very rare and the total cost will not be much.

34958 (36). Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—The other kinds of leave mentioned might continue. In my replies to the preceding questions I have already stated what modifications seem desirable.

34959 (37). Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvience to the Administration and, if so, what; and what remedy do you suggest?—The present rules cause no inconvenience to the Administration. An officer cannot claim leave as of right and the grant of leave is contingent on the exigencies of the Public service.

34960 (38). In particular, are they a contributory cause of excessive transfers of officers, and if so, how can this difficulty be met?—The excessive transfers of officers are due not only to these leaves but also to the insufficiency of the staff. When an officer goes on leave, it is not possible to arrange for his work even for a short period with the remaining staff. Special necessities also arise which require transfers. But in the course of the last few years great improvement has been made and on the whole now there are fewer transfers than used to be a few years ago. To stop or reduce the leave at present permissible, will be a hardship on the members as the total period of leave in their case is just reasonable.

34961 (39). Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—The artificial restrictions requiring that a fixed period must elapse between one furlough and another might be removed. Leave which is due may be always available subject to two conditions, *viz.*, that the exigencies of the Public Service permit it, and that a fixed percentage is not exceeded to ensure that a sufficient number of men will always remain on duty for the disposal of work. I have suggested some modifications in my answers to the preceding questions. I think that since the Indian Civil Service is recruited in England and the Provincial Service in India, the existing differences between leave rules must continue. Officers of the Indian Civil Service have to serve so far away from Home and in an alien climate. They certainly require more leave than an Indian officer does, as the former have of necessity to go more frequently to Europe at considerable expense to recoup their health.

34962 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—The present system of superannuation pensions is satisfactory. Pension forms the only difference between Government and private service. If it be abolished, Government service will lose all attraction and on account of the hard work that Government service requires men of ability will, very seldom, join it. It will be impossible to maintain a high standard of morality and responsibility and there would be nothing to bind a man permanently to the service. The effects of the abolition of pension will be very far-reaching and Government in its absence will find it difficult to exercise any effective control over its servants.

34963 (41). Have you any suggestions to make in favour of any modifications in its detailed working, and if so, what, and for what reasons?—There is one matter in regard to which the present system is susceptible of improvement. An officer obtains extensions for some time after he has completed his 55 years of age. The interests of the individual officers and of the administration are served by this course, but it inflicts a hardship on the junior officers by depriving them of their promotions. I beg to recommend that this practice might be discontinued.

34964 (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—I am not in favour of this proposal. Under the present rules inefficient men do not rise higher than the Rs. 400 grade, and naturally they will be granted pensions calculated on their salary. They will thus get a reduced pension as compared with the length of their service and no further reduction need be made. In my reply to question (17) I have stated that I am not in favour of the proposal that inefficient men might be compelled

to retire. Their retirement might be governed by the general rules as at present.

34965 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—The maximum pension that is allowed at present is Rs. 5,000 a year. This does not suffice now under the changed circumstances and it may be raised to Rs. 6,000 a year.

34966 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—It seems necessary to reduce age limit of Indians for purpose of pension. Life in the tropical countries is of a shorter duration than in the countries with better climate. Besides, the heavy duties that are now performed contribute very much to break down in health and they reduce the life of a man appreciably. The majority of the members of the Provincial Service die while on duty and a large number of the few that retire on pension do not live long to enjoy it. The longevity of the people of India ought to be considered in deciding their age limit for pension. I think that after 25 years of service retirement on full pension may be optional and compulsory after 30 years' service. According to age, retirement after 50 years of age may be optional and compulsory after 55 years. If after 22½ years' service a man is found medically unfit for further service he may be allowed full pension just as is done at present when he has put in 25 years of service. After 15 years' service voluntary retirement might be permitted on a reduced pension. I am not opposed to any concession in this direction in the case of the European Service should it be considered necessary. A judicial officer is older than an Executive officer by about three years at the time of entry. The period of service qualifying for pension on half pay should not be the same for both.

34967 (47). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—I beg to suggest that members of the Provincial Service might be classed as First Class Officers in the matter of the grant of travelling allowances. In the other Departments—Public Works Department, Post, etc.—the subordinates who do not occupy any better position than the Extra Assistant Commissioners, are classed as first class officers. The present rates of travelling allowance are insufficient. An officer of the Provincial Civil Service has to move across country with his tents and has to pay half the cost of their carriage. He has to go anywhere and everywhere as necessity might arise at any time of the year and has to keep permanently a separate establishment all the year round. His way does not lie always on metalled roads and he cannot depend on the inspection bungalows. His duties are of a high order. Apart from the fact that at present his tours cost him more than what he gets in the shape of travelling allowance, his position is lowered by his being classed as a second-class officer.

The scanty allowance granted at present in case of transfers is another hardship. A transfer costs very heavily and the allowance should not be governed by the ordinary travelling rules as at present. Besides there is no time-limit for transfers. The financial strain of these transfers when they take place in quick succession requires no description. The actual expenses may be given and a scale may be fixed. I would also recommend that officers' wives and families may be given free medical attendance. House accommodation may also be provided at a rental of not more than 5 per cent, of the officer's pay. Senior officers may be given some place in the Warrant of Precedence.

KHAN BAHADUR HAFIZ MUHAMMAD WALAYATULLAH, called and examined.

34968. (*Chairman.*) You are Extra Assistant Commissioner in Amraoti?—Yes.

34969. You are not in favour of any system of simultaneous examination, on the ground that there will be no security that under it sufficient Europeans will be retained, and that all communities will be represented?—I am not in favour of simultaneous examination for the reason that there are so many castes and communities, with so many conflicting interests, that there must necessarily be many limitations; and under the circumstances I believe that simultaneous examination will not do in India. There will be discontent of some other kind if simultaneous examination is introduced.

34970. You say you are against separate examination in India because you think that men who pass through a purely Indian examination will be considered as inferior to those who pass through the examination in England?—The evidence of several witnesses has shown that men who have passed through the English examination have not been considered by them as equal to Europeans. When they pass through a purely Indian examination I am afraid a great deal more will be said.

34971. Supposing the examination which was instituted in India was of the same character as the examination in England, and if subsequent to that examination the successful candidate went through a period of training in England, and then entered the service through that means, would you still say that he would be regarded as inferior to the Indian officer who entered through the London door?—I cannot say about the future, but I fear, perhaps, he would be.

34972. You propose as the alternative that a certain number of scholarships should be granted to enable students to go to England and compete in the examination?—Yes.

34673. How many of those scholarships would you grant each year?—That would depend upon

the number of posts that may be given over to the Indians. I would leave that to the Secretary of State. Under the circumstances the only practical course that seems to me possible in India is a system of scholarships.

34974. Have you any idea in your mind as to what proportion of Indians you would like to see in the Service?—That again I would leave to the Secretary of State. I have not studied this question so well that I can give any opinion on the subject as to what proportion of Indians there should be.

34975. Would you be prepared, as an alternative, to extend the number of listed posts to officers promoted from the Provincial Civil Service?—Certainly.

34976. At what stage would you like to see officers promoted from the Provincial Civil Service?—After they have put in say about 16, 18 or 20 years' service; and not until they have reached 27 or 30 years' service as at present; because, at that time, they would be too old to be appointed to those duties; and then a comparison is made which, under the circumstances, I do not think is fair.

34977. You think that the age at which an officer reaches a listed-post is a source of discontent in the Provincial Civil Service?—Yes.

34978. Do you think that that discontent would be in any way removed if provision were made for younger men to be promoted to these posts?—No Indian has up to now been appointed to a listed-post from the Provincial Service, so far as my experience goes; and there has been only the chance of the appointment of one. We have been always looking to men in the higher grades, and those gentlemen, as must be expected, are too old, with certain exceptions, of course, as it depends very much upon the health of individuals. If arrangements are made so that men may be appointed earlier, I think it will give satisfaction.

34979. You say they are too old, and it would be better to have them younger?—Yes, I think so.

34980. I want to know whether if a young man is pushed through the service with greater rapidity than his fellows, this will not cause discontent amongst the officers in the service who are not pushed forward?—After the grade of Rs. 400 promotion is given by selection, even at present. I do not think it will have any other effect.

34981. If an increased number of listed posts were sanctioned, would that meet with general satisfaction amongst the rank and file of the Provincial Civil Service?—So far as the Provincial Civil Service is concerned, I hope it will be satisfied.

34982. Which would you prefer to see, more listed posts, or as has been proposed by other witnesses, some very definite improvements in pay, with a time-scale, and possibly two additional grades at the top of the service, one of Rs. 900, with two appointments, and one of Rs. 1,000, with two appointments?—Even if a grade of Rs. 1,200 is created, so long as the Deputy Commissioner's post is not given, they will still go on asking for the post of Deputy Commissioner. It is not a question of pay: it is a question of position.

34983. But would not the creation of a grade of Rs. 1,000 give a certain amount of position?—It will better the prospects so far as pay is concerned, but not so far as position is concerned. An Extra Assistant Commissioner in the Rs. 1,000 grade will do the same work as an Extra Assistant Commissioner in the third grade and there will be no difference in position.

34984. You propose that Munsifs should be taken out of the Subordinate Civil Service?—Yes; because there is a rule to the effect that no member of the Bar shall be appointed unless he has practised for three years. As far as I know, in the course of the last few years, this rule has never been followed, and no direct appointment has been made; and I think, perhaps, that no direct appointment will be made, since all appointments to the Provincial Civil Service are made by recruitment from the Subordinate Service. It is not necessary to keep this differentiation. It would be much better to dispense with Munsifs altogether, and to begin with Subordinate Judges, and in that case it may be possible to enforce the rule that nobody would be appointed unless he has practised for three years.

34985. At what pay would you start them?—I think they ought to begin with Rs. 300, at least.

34986. At the present time what does a Munsif of the lowest grade get?—I think Rs. 150.

34987. So that you would place the whole of the Munsifs in the Provincial Service, and give them an initial salary of Rs. 300?—I think the administration of justice is the most important branch, and that the department should never be low-paid.

34988. You complain of overwork in the service?—Yes.

34989. Could you tell us by way of illustration what you mean by overwork? What is the amount of work which you yourself have to do?—I have referred here to the Executive branch. There is no limit of work which can be given to the Executive branch. The Criminal and Revenue case work absorb almost the whole of our time, and then there is a great deal in connection with municipalities and District Boards, Sanitation, water supply, etc. We have to inspect the work of several subordinates and also the schools, factories, poison, explosives and arms-shops, petroleum godowns, pounds, etc. Besides we are given every kind of new work that may arise, such as arrangements for fairs, passage or manœuvres of troops, famine programme, road schemes, census, hail, cholera, plague and other matters too numerous to mention. For my own part when out on tours I am so busy with cases and references from headquarters that I have hardly any time to look into local affairs. I am only sorry that I spent so much time in travelling from one place to another and yet could not do anything locally.

34990. What is the particular work you are so busy with?—In the first place, the work which we do as Magistrates is of a much better kind than used to be done. I mean to say that nowadays work of a superior kind is expected from every Magistrate. The Revenue work in the Central Provinces is of a very complicated

nature, and in Berar it is very heavy in volume. It is too much. Our principal work consists of criminal and revenue cases.

34991. What category of work do you suggest you should be relieved of?—I do not think there is any work which could be thrown away; but there should be more men.

34992. You do not suggest any alterations in the duties of your office, but you say the duties are so multifarious nowadays that you want more officers. Is that it?—That is my position.

34993. Could you tell us whether you know of officers who are passed over in practice for promotion above the Rs. 400 grade: do you happen to know them?—I know there have been some.

34994. Have there been many instances of it to your knowledge in this province?—Very few. After some years most of them got promotions.

34995. So that they were merely delayed by a few years?—Yes.

34996. Would you like to see a time-scale right through for the service?—Yes.

34997. Would you favour a break in the middle of the scale, where officers should be selected for the second compartment on their merits?—I have said that after the fixed grade of Rs. 500 it should be by selection, otherwise the whole lot will get into the highest grade.

34998. You favour that proposal?—Yes.

34999. To what extent in this province are officers given extensions of service after 55 years?—With few exceptions almost all have been given extensions for some period.

35000. You say a considerable number of officers are getting extensions?—Yes.

35001. You suggest that they should be retired at 55. Would you not allow any latitude?—The reason is that there are no officiating promotions for us. It is hard for juniors. If a man goes on Foreign Service Settlement duty nobody is appointed in his place. There is only one chance of promotion, namely, when a man permanently quits the Service. If he continues on extensions the juniors do not get promotion.

35002. Would you make a hard-and-fast rule?—I think so. Men, when they get too old, do not do as much work as others do. They may be experts in some branches, but as far as the volume of work is concerned, I think the younger men do more work than the older ones.

35003. You are making the proposal more from the point of view of helping promotion than from the point of view of administration?—I think both, but I would leave the question of work, because the administration knows it better. So far as the claims of the members of the Provincial Service for promotion are concerned, I think they ought to retire.

35004. You make rather a startling statement in answer to question (44) when you say: "The majoity of the members of the Provincial Service die while on duty." Is that the case?—Yes.

35005. Is that a statement of fact?—I have seen very few retirements. Perhaps the Comptroller could give you the figure. My belief has been that most of them die. I may be wrong in that. I think statistics might be obtained of how many have actually retired and drawn pensions.

35006. You make specific suggestions with regard to improvements in the Service, and suggest that "members of the Provincial Service might be classed as first-class officers in the matter of the grant of travelling allowances." Do you regard that as important?—Very important.

35007. You also recommend that officers' wives and families should be given free medical attendance?—Yes.

35008. Is there any fund under the terms of which the wives and families of officers can get concessions in the matter of medical attendance?—No, there is no such fund.

35009. You also say:—"House accommodation may also be provided at a rental of not more than 5 per cent. of the officer's pay." Are any officers in the Provincial Civil Service in this province granted house accommodation?—In some cases houses have been given, but not in all places.

35010. Do you mean that in some parts of the province officers get free house accommodation?—No, not free house accommodation. In some places Government build houses for them, but they have to pay rent for them?

35011. You want to limit that rent to 5 per cent. of the officer's pay?—Yes.

35012. (*Sir Murray Hammick.*) With regard to this question of holding provincial posts young, supposing you had four listed Deputy Commissioners, and supposing out of that the Government made a rule that three of them should be posts to which young Provincial Service officers should be appointed, that is to say that they would put in a Provincial Civil Service officer, and watch his career, say, for three or four or five years, and perhaps more, and then put him in as Deputy Commissioner, if they reserved one of those four appointments as a reward for long service in the Provincial Service, giving it to a senior man who had done fifteen or twenty years' service, that would enable the young man who was appointed to the Deputy Commissionership to rise higher in the service, and perhaps hold a Commissionership if found fit, while the older man who got his Deputy Commissionership late in life would probably be retired as Deputy Commissioner. Do you think if an arrangement of that sort were made the Provincial Service generally would welcome it as an encouragement to good work in the Provincial Service?—I do not say that men should be appointed so soon. I do not know, because no appointment has been made, but I expect that appointment will be made only when a man is in the highest, the Rs. 800 grade. That will generally be at the end of his service. I only mean that these appointments should be made earlier. The rule should be that he would be eligible for that appointment after a certain grade has been reached, and not before, no matter to what grade he belongs, whether the Rs. 600 or the Rs. 700 or the Rs. 800 grade.

35013. The objection to that arrangement is that the Provincial Service man who holds a listed appointment can never hold the appointment until he is too old, whereas if he is put in when he is young he might possibly rise high and be a Commissioner and hold a division. That would satisfy, more or less, the desires of some people who want

to get into the Civil Service. The objection which the Chairman put to you was that if these appointments were given away young it would not encourage the ordinary service man to work. What I say is, could it not be done as is done in some other Departments? Could not you give some proportion of your appointments to senior men and allow the rest to be held by junior men, so that the men could rise to higher appointments in the Service?—I think for the present we may only make such an arrangement that some of the Provincial Service men could rise to Deputy Commissionerships. The question of Commissionerships is very far yet, seeing that none has been appointed to a Deputy Commissionership hitherto.

35014. (*Mr. Macdonald.*) Why would you recommend officers' wives and families being given free medical attendance?—Because they are sent to places which are unhealthy, sometimes, and they require medical attendance.

35015. But does not that all come in pay?—Yes, it comes.

35016. Could you not very materially increase the catalogue, and ask the Government to supply them all? What about free food?—I only put this as a suggestion. Officers get free medical attendance even now and it will only be an extension of the same principle. It was only put in amongst miscellaneous things. I do not press it very much. It is not so important.

35017. You suggest that 5 per cent. of the officer's pay should be charged as rental. Do you know any place where the house rent would come up to 8 per cent. of the officer's pay?—Whatever the accommodation I am bound to pay 10 per cent. If it is a large building like this, or if it is a small hut, if it happens to be Government property, I believe I have to pay 10 per cent.

35018. But if the rent of the house comes to 7 per cent., you would not have to pay 10 per cent.?—I know in my own case I wanted to pay a rent of Rs. 25, but I was told that they must charge me Rs. 30. In the end they let another man have it for Rs. 15.

35019. Did the Government do that?—They said it was not worth more than Rs. 15, but under the rules I could only get it for Rs. 30.

35020. I think you will find that whatever happened will have to be explained on some other grounds. But the point of this is that whatever you put into this catalogue, it is really an increase in pay, is it not, whether for medical attendance for wives and families, and house rent at 5 per cent. instead of 10 per cent.?—Yes.

35021. The Government has to pay it?—That was only a suggestion. I do not press it.

35022. (*Mr. Sly.*):—You have suggested an alteration in the rules for the recruitment of the Provincial Civil Service by promotion from the Subordinate Service. Your suggestion, as I understand, is that no member of the Subordinate Service should be promoted to the Provincial Civil Service unless he is a graduate?—I say appointments by nomination, not by promotion.

35023. Look at your answer to question (2) of the Provincial Civil Service series. You say: "It will be well if the rule requiring that only a B.A. or a B.Sc. will be eligible for direct appointment is made as one of general application"?—In my answer I say: "I have only to suggest that in making appointments by *nomination* with a view to securing adequate representation of all sections of the community the standard of ability required for the efficiency of the service should not be lowered." I do not say that in the case of promotion from the Tahsildars' line.

35024. That is the rule at present, is it not?—No, I think not. The members of the Anglo-Indian community can be appointed.

35025. You have also suggested that Munsifs should be included in the Provincial Civil Service?—Yes.

35026. Do you not think that difficulties would then arise with regard to the posts of Tahsildars: would you also recommend that Tahsildars should be included in the Provincial Executive Service?—No.

35027. Then, on the one hand, you wish the Judicial Service to include Munsifs, and on the other hand, you wish to exclude from the Provincial Executive Service a class of officers who are ordinarily held to be of the same rank?—The comparision between the two Services ceased to exist long ago, when the Rs. 200 and the Rs. 250 grades were abolished on the Judicial side; but on the Executive side grades of Rs. 200, and Rs. 250 were retained. So that I do not think there is any comparison now between the two Services; the two Services will be entirely separate, and there will be no comparison.

35028. Is it not the case that in status the Munsif and the Tahsildar are considered about equal?—Yes, they are, just as Police Inspectors are equal to them.

35029. With regard to your answer to question (18), how many years have you been a Magistrate?—Fourteen or fifteen years.

35030. Have you found throughout that period of your work as a Magistrate that your discretion as a Magistrate with regard to the decisions of cases has ever been interfered with by the District Magistrate?—No.

35031. Never?—No.

35032. (*Mr. Fisher.*) You are in favour of recruiting two-fifths of the Provincial Civil Service by competition?—Yes.

35033. Am I to infer from that that there is any feeling of dissatisfaction in the Provincial Civil Service with the present method of appointment by nomination?—No, candidates have to wait for a very long time, because it depends only on selection. When there is an opening for them through the competitive examination, some persons might try for it and might get in sooner.

35034. You also think that it would be a surer way of obtaining a better class of ability?—Yes. If competitive examination ensures the best type of men to be procured, in that case I think competitive examination would certainly give us the best type of men.

35035. Have you in your mind any particular cases of able young men who would have been brought into the Service by competitive examination, but whom the Service has failed to secure in these provinces?—Up to now I have not considered this question. As far as I know, such

gentlemen would have been successful in some other line. They become Pleaders or Barristers. There is a desire for competitive examination among graduates now, and they desire that appointments may not depend entirely upon selection. I think there may be some selection, and then there may be competitive examination, but there should be some test.

35036. In other words, you would recommend a combination of nomination and examination?—Yes.

35037. (*Sir Theodore Morison.*) I want to have your opinion as to the advantage you have noticed with graduates from Indian Universities going to complete their education in England. It has been suggested to us that if there is an examination held in India the period of probation should be in England, and that Indians so selected should pass through an English University. What do you think, from your own experience, is the value of that education?—I cannot say, because I have been in India the whole of my life; but when people go to England and return after a couple or three years, I have found them to be somewhat different men altogether.

35038. Are they better?—Yes, they are better.

35039. You think, on the whole, that it is an improvement?—I do not know, but I am told that if they turn out to be bad, they are the worst people. It depends upon the circumstances. If, on the other hand, they fall into good society, and I have seen only such people, I have always found, and I believe, that the training in England is something quite different from what it is in India.

35040. If you had to recommend a friend as to what education he should give his boy, would your recommendation include, suppose he could afford it, a period of education in England?—Certainly. If I live I should like my sons to be educated in England.

35041. Do you hold the view held by some Muhammadans that some of the most forceful and original members of their community have been persons who have had no English education at all?—Yes.

35042. Do you hold that view?—Yes, men of character.

35043. Do you think that the education given in Indian Colleges, which is wholly, or almost exclusively, an English education, does not produce the same forceful and original Character as is produced, on the one hand, by a purely English education, and, on the other hand, by the old Muhammadan education?—It depends upon the training which is given at the various Colleges. There are some Colleges which have got a very good name. Students leaving those Colleges are considered superior to the students who leave the other Colleges.

35044. What is your opinion?—I think there is some difference.

35045. Do you notice any difference between students of good Colleges and the students of other Colleges?—Yes, in point of character.

35046. If you had to make an appointment, would you make any difference between a B.A. of one College and a B.A. of another College?—Whenever I enquire of any gentleman who has passed an examination the first question I put to him is, "From what College"?

35047. It is your opinion that the value of the B.A. degree which a man has differs according to the College he comes from?—Yes, I think it does.

35048. How did you yourself get into the Service, by examination?—I passed only my B.A. examination.

35049. You passed at the head of the B.A.'s in your year?—Yes. You know it very well. I was your student.

35050. You passed at the top of the University?—Yes.

35051. Did you go in for open competition to enter the Service?—No. I began as a Munsif here. I was a Tehsildar only six months. It is now nearly thirteen or fourteen years that I have been Extra Assistant Commissioner.

35052. In your case there was no combination of nomination and selection?—No, and no recommendation either.

35053. How was it done?—I applied to the Chief Commissioner, and I got my appointment. I thought "I must work hard and give satisfaction and then I shall get promotion."

35054. (*Lord Ronaldshay.*) What is the nature of the post in Berar to which you refer towards the end of your answer to question (19)? Referring to the young men of the Provincial Civil Service you say: "Such men might be appointed for purposes of training to the minor charges known as sub-divisions carrying special allowances as soon as they reach a fixed grade." In Berar they already exist?—Yes. There are three sub-divisions where there is an allowance of Rs. 100 for the European officer and Rs. 66 for the Indian, at Basim, Khamgaon and Elichpur.

35055. Are those regarded as inferior listed posts?—No, members of the Civil Service or members of the Provincial Civil Service have been appointed to those posts.

35056. Why is a special allowance attached to these special posts?—They are important places. Elichpur was the head-quarters of a district. It was abolished after the amalgamation of Berar and the Central Provinces. Basim was also the head-quarters of a district.

35057 I understand what you would like to see done would be that certain inferior posts, which are now merged in the cadre of the Provincial Civil Service, but which were originally Indian Civil Service inferior posts, should be distinguished from the ordinary Civil Service posts in order that young men in the Provincial Civil Service may be picked out to fill those posts and undergo a period of training with the view of being subsequently promoted to superior listed posts. Is not that what you mean?—Yes, they should remain separate: they should not be merged.

35058. You want to have these inferior posts definitely listed and not merged with the other posts in the Provincial Civil Service?—Yes.

35059. In connection with that suggestion, what do you mean by your answer to question (21) when you say that, "Instead of Extra Assistant Commissioners the officers may be called either Deputy Collectors or Assistant Commissioners"? Why do you want them to be called

Deputy Collectors or Assistant Commissioners?—I object to the word "Extra" because Assistant Commissioners and Extra Commissioners do exactly the same kind of work throughout until the Assistant Commissioners are appointed Deputy Commissioners. I should like some other name without this word "Extra."

35060. But you do not desire that these officers should hold the same title as the Indian Civilians occupying similar posts?—Not necessarily.

35061. But Indian Civilians at present are called Deputy Collectors and Assistant Commissioners?—I have said further on, "Some other nomenclature being adopted for the present Assistant Commissioners."

35062. I want to know what nomenclature you suggest for these men?—That is very difficult for me to answer; but I have an objection to the word "Extra" there.

35063. (*Mr. Standen.*) Supposing a man has been selected for a superior listed-post, do you think it would enhance the estimation he is held in by the public and the rest of the Service if he were appointed to an inferior listed-post in the Commission, and were regarded as a member of the Commission from that time?—Yes, I think he will rise in estimation.

35064. Do you think that would have any effect upon his efficiency afterwards when he was holding a superior post? Supposing for two or three years he had been regarded as an Assistant Commissioner on the Commission, and was then appointed to a district, would his assistants regard him then with greater respect than if he had been appointed direct from the Provincial Civil Service?—Yes, I think they would.

(The witness withdrew.)

RAI BAHADUR PUNDIT BISHUN DUTTA SHUKLA, B.A.

Written answers relating to the Indian Civil Service.

35065 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I am satisfied with the principle of the present system of recruitment by open competitive examination in England for the Indian Civil Service, so far as those who can afford to proceed to England for competition are concerned.

35066 (2). In what respects, if any, do you find the present system faulty in detail and what alterations would you suggest?—This practically shuts out most of the peoples of India, especially the most respectable of them, and the majority of its best intellects. The result is, that India is not at all fairly represented in the Indian Civil Service. If competitive examinations were held simultaneously in England and India, I believe the Indian element in the future Civil Service of India will be more representative and probably more efficient. I mean no reflection on the present Indian members of the Service.

35067 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—As implied in my answer to question (2), it practically excludes the majority of the Indians, and the best of them, from the Indian Civil Service. It does not afford them the same facilities as are allowed to Natives of England, for admission to the Covenanted Civil Service, to which they are duly entitled. Moreover, the system is not suitable, on account of prohibitive expenses. The risk of failures is also very great and the Indians are thus at a great disadvantage, on account of the examination being held in England only, which accounts for the paucity of Indian members in the cadre of the present Indian Civil Service. In the Central Provinces and Berar, I find there are only five Indians in the Civil Service against a total of 98, *i.e.*, a little more than 5 per cent., and so far only 84 Indians have been able to join the Indian Civil Service, against 2,643 Europeans, in the whole of India.

35068 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—In my opinion the combination of the open competitive examination for the Home Service with that for the Indian Civil Service is conducive to the best interests of Indians, as it will render the best talent of the United Kingdom available for the Indian Civil Service. But I am not in favour of combining the Colonial Service with the Indian Civil Service, in view of the policy of exclusiveness adopted by Colonials, in respect of the Natives of India.

35069 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—An answer to this is not necessary, in view of the remarks I have already made in connection with the preceding questions.

35070 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am entirely in favour of a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty. In my opinion there should be the same examination held simultaneously in England and India and a common list drawn up and those at the top of the list should be selected to fill the number of appointments required. In short, the examination in India should be on all fours with

that in England, securing perfect equality in the status of the members of the Indian Civil Service, recruited in both the countries. The introduction of such a scheme would be regarded by the Natives of India as a great boon conferred upon them, doing full justice to their claims and being quite in accordance with the spirit of the Great Charter of 1833 and the Proclamation of Queen Victoria (1858) which they regard to be the Magná Charta of their rights and privileges. I do not wish that any opportunity should henceforth be given for the repetition of the remarks made by the late Duke of Argyll, who said in 1893 "we have not fulfilled our duty or the promises and engagements we have made." The exclusion of the Natives of India from the Civil Service of their own country was already anticipated by Lord Stanley when the present system was introduced and he then declared that he could not refrain from expressing his conviction that in refusing to carry on examinations in India as well as in England—a thing that was easily practicable—the Government were, in fact, negativing that which they declared to be one of the principal objects of their Bill and confining the Civil Service, as heretofore, to Englishmen. For these very reasons, the present state of things ought to be improved.

35071 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I am not at all in favour of any system of recruitment, other than what I have already suggested. A system of recruitment by means of a separate examination in India may draw an invidious line of distinction between the two different classes of recruits, which is not desirable. But if it cannot be decided to hold simultaneous examinations in India and in England, I would then recommend a separate examination for the whole of India of the kind suggested above, provided the standard is fixed as high as that of the Indian Civil Service examination in England and that none but graduates of the Indian Universities should be allowed to compete. I would not allot more than 30 per cent. of the total number of posts of the Indian Civil Service to such recruits.

35072 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular, do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I think that intellectual and moral fitness only should be considered in recruiting members for the Civil Service. It is neither practicable nor desirable to introduce the principle of class-representation in the Civil Service. In India, as in Europe, the cultured classes alone can be adequately represented in the Civil Service without sacrificing its efficiency. The only difference, I believe, is that in England there is hardly any class which is uncultured. It is no good, nor has there arisen any cause for, trying to secure from amongst Gonds, Bhils, Julahas, etc., representatives to fill places in the Indian Civil Service. The cultured classes amongst Hindus, Muhammadans, Christians, etc., will have their representatives in the Service without any especial provision in that behalf, if examinations are held in India. I strongly desire that no class should consider itself unjustly treated.

35073 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—Yes, I do not see any reason why the Natives of both the countries, subject to one and the same supreme authority, should not be prepared to equally participate in each other's advantages.

35074 (11). Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system which you would propose?—I should suggest that the Judicial Branch of the Indian Civil Service be recruited by means of a separate open competitive examination simultaneously held in India and in England, at which none but graduates of Law should be allowed to compete. A more comprehensive study of Law should be the special feature of the above examination. And a system of practical judicial training should be devised, which every candidate should be required to undergo, in order to fully acquaint himself with the actual working of the Courts of Law in India, during the probationary period, before taking up an independent charge of his duties.

35075 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in Section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including any person born and domiciled "within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—I think the definition is satisfactory except in this particular that it excludes subjects of Indian Princes. They should not be excluded as they look upon the Emperor of India as their Sovereign.

35076 (13). If the system of recruitment by open competitive examination in England is re-

tained, state the age-limits that you recommend for candidates at such examination, giving your reasons?—I am quite satisfied with the present age-limits, which have been arrived at after much discussion and experience. They should never be reduced. On the other hand, I may suggest that the maximum age for those competing for the Judicial Branch of the Indian Civil Service should be raised to 25, in order to admit members of the Bar.

35077 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—In my opinion 25 is the most suitable age, as we always want to have men of ripe intellect, having a better knowledge of human affairs, as members of the Civil Service.

35078 (15). What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reason? Do you recommend any differentiation between the age-limits for Natives of India and for other natural-born subjects of His Majesty?—As already stated, the present age-limit best suits candidates who are Natives of India, as it enables them to complete their college education and take their degree between 20 and 22. I am not in favour of any different treatment in respect of age for any subject of His Majesty. Had not the matriculation standard been raised to 16, then it would have been quite fair to have made it to 22 or 23. In my opinion it is desirable that one must go up for the Indian Civil Service examination after passing the B.A. examination.

35079 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—Although I have no experience of the open competitive examination, still I may venture to suggest the marks allotted for Sanskrit and Arabic should be the same as for Latin and Greek, and Hindi may be included as one of the subjects, because it is recognized to be the "*Lingua Franca*" of India. I would also suggest that Indian History should be introduced with the same number of marks allotted to it as are assigned to Greek or Roman Histories. Italian may be omitted.

35080 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—I do not think any differentiation in the subjects for the open competitive examination in England is desirable between Natives of India and other candidates.

35081 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service Cadre do you consider that Natives of India might under present conditions properly be admitted?—A minimum proportion of European subjects of His Majesty should be employed in the higher posts of the civil administration. As to what that minimum should be, it is yet too early to consider. That proportion can only be fixed after experience gained from a much larger employment of the Natives of India in the said posts. Even after the introduction of simultaneous examinations, I do not think the Indian element among the successful candidates will unduly preponderate for years to come. It will not take less than half the life-time of a generation to produce candidates, equal to meet English candidates in their own field. At present the probability is so remote that it is an utter impossibility.

35082 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service Cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—No.

35083 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—The Statutory Civil Service should not be revived. But, if my suggestion for simultaneous examinations is not accepted, I think it will be necessary to revive it, provided none but graduates of Indian Universities and members of high and respectable families are deemed eligible for selection.

35084 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service Cadre has been stopped or has never existed in your Province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—No.

35085 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed-posts) to which members of the Provincial Civil Service can properly be appointed?—If simultaneous competitive examinations are not held in India and England, the system should be retained and supplemented by introducing rules which would attract more competent Indians to the Provincial Service and would admit of increasing the number of "listed-posts" to one-fourth of the total number of posts in the Indian Civil Service.

35086 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one quarter of the listed-posts?—No.

35087 (26). Are you satisfied with the system by which most of the inferior listed-posts are merged in the Provincial Civil Service?—I am not satisfied with the system of merging the inferior listed-posts in the

Provincial Civil Service, because those posts have been so completely merged in the Provincial Civil Service as to lose their identity.

35088 (27). Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—If simultaneous examinations are not to be allowed, the "listed-posts" should be increased in number.

35089 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—Yes.

35090 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—The period of probation should be two years, to be spent in England, in case of Indian candidates, while in case of Europeans, one year in England and one year in India would be necessary in order that arrangements could be made for securing to the probationers the benefit of experience of the competent and sympathetic senior members of the Civil Service, in case of those meant for judicial service also of competent members of the Indian Bar.

35091 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No differentiation is necessary except that special attention should be paid to the mastering of Indian languages, by probationers other than Indians, as this deficiency of the knowledge of vernaculars of the people of India, on the part of civilian element, contributes largely to the creation of racial apathy and ill-feeling. In my opinion no period of probation should be deemed completed without their satisfying a thorough test of the knowledge of the Indian vernacular.

35092 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—In my opinion the probationers' course of instruction could best be spent partly in England, and partly in India unless simultaneous examinations are held in India, in which case "Natives of India" may be required to pass the full period of their probation in England, and due facilities should be given to them to gain a clear insight into the actual working of the British institutions.

35093 (33). Do you think it desirable to start, at some suitable place in India, a College for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—I do not think it desirable to start at some suitable place in India a College for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England.

35094 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—My answer is in the negative.

35095 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—I have not much to complain of in the present arrangements for the training of junior officers of the Indian Civil Service, after they have taken up their appointments in India, but I have to strongly urge the necessity of a special sort of training to be given to a young civilian, during the first two years of his official career, by always placing him under a senior Collector, who has already proved his aptitude for the administrative work, by combining in himself the superior qualities of head and heart. It is during this period that every junior civilian should be clearly given to understand that to sympathise with the people is the part and parcel of his duty. He should be given frequent opportunities to mix with the people, among whom he will have to move. It is in the very early years of his service that he should be able to master the language of his own district and get himself into the habit of showing due regard to the feelings and habits of the Indian people, whom he has come to govern. To be brief, every junior civilian should be strongly impressed with the full significance of the "great Political Law" of Lord Morley, our late Secretary of State, which enjoins that:—"To govern men, there is but one way, and it is an eternal truth—get into their skins. Try to realise their feelings. That is true of Government." I also draw attention to the following advice of our Gracious Sovereign, given in his famous Guildhall speech, which deserves to be written in letters of gold in every Court-House in India that:—"I cannot help thinking from all I have heard and seen that the task of governing India will be made the easier if we, on our part, infuse into it a wider element of sympathy. I will venture to predict that to such sympathy there will be an ever abundant and genuine response."

35096 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—In my opinion there has been much deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service. They are not adequately proficient in the languages of India which but few of them can speak fluently. The causes, I think, are chiefly these:—(*i*) There are more English-speaking Indians now than before. (*ii*) Their visits to Europe are more frequent now than before. (*iii*) The general impression is that officials of the day are much more over-worked

than their predecessors and have but little time left to mix with the people of their district. This has been admitted by the highest authority controlling the affairs of India. Lord Morley clearly pointed out to the Indian Civil Service probationers on Saturday, June 12th, 1909, at Oxford that:—One of the worst drawbacks of the modern speeding up of the great wheels of the machine of Indian Government is that the Indian Civil Servant has less time and less opportunity than he used to have of bringing himself into close contact with those with whose interests he is concerned. (*iv*) The Departmental vernacular examination is very easy. I suggest the following remedies:—1. Visits to Europe should be less frequent. 2. The executive officers should be entirely relieved of their judicial functions, in order to save time, with a view to come in close contact with their people and freely converse with them, in their own language. 3. The Departmental examination in the vernacular should be made more stiff.

35097 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—In my opinion the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished. The abolition should be restricted to future entrants.

35098 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the Service?—I don't think there should be any difference in pay of persons holding the same appointment and discharging the same duties.

Written answers relating to the Provincial Civil Service.

35099 (51). Please refer to Government of Indian Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendation to make for their alteration?—The general conditions governing recruitment to the Provincial Civil Service are satisfactory except that recruitment under the present system is restricted to nomination. In my opinion it should be substituted by competitive examination, subject to certain limitations, with a view to redress inequalities, and secure promotion for qualified members of the Subordinate Service. I do not think it is desirable that Europeans who are not statutory Natives of India should be eligible for appointment in the Provincial Service, even if otherwise qualified.

35100 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your province suitable, or have you any recommendations to make for their alteration?—In my opinion rules should be so framed as to admit of recruitment by competition, supplemented by nomination. Half of the total number of posts should be thrown open to competition and the other half to nomination. High character and family prestige should be taken into consideration in making selections by nomination and none should be deemed eligible for the same, unless he is a graduate. I further think that one intellectual test should be applicable to all and it is not desirable that any relaxation need be made, in case of communities other than Indians. Hence all the words should be deleted after the word "University" in rule (3). As for judicial posts, none but Law Graduates should be deemed eligible.

35101 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—In my opinion the recruitment for the Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs.

35102 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—I think all classes and communities going in for Government service are fairly represented. This is, of course, desirable and recruitment by competitive examination, supplemented by nomination, will meet the requirements of our province. Of the total number of posts in the Provincial Service (96), on 1st January 1913, 27 were held by Muhammadans, 50 by Hindus, 14 by Eurasians, etc., 4 by Parsis and 1 by Jew.

35103 (55). Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend?—I have no fault to find with the existing arrangements for the training and probation of officers appointed to the Provincial Service.

35104 (56). Do you consider that the numbers of officers authorised for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—In the Provincial Service of our own Province, there are 8 grades, the lowest carrying Rs. 200 per mensem, while in other provinces there are 7 grades only, the lowest beginning at Rs. 250 per mensem. The cost of living having gone up much higher than what it was a few years back and in view of the highest pay to which an executive member of the Subordinate Service is entitled, which is Rs. 250 per mensem, it seems desirable to have the grade of Rs. 200 abolished. There has also been a general complaint that, at present, the members of the Provincial Civil Service have to pass a considerable portion of their service in the lower grades, and the result is that but few have been able to reach the highest rung of the ladder. The per-

centage of the number of posts allotted to different grades comes to the following:—

1st grade	2·4
2nd „	3·6
3rd „	6·12
4th „	14·28
5th „	23·46
6th „	24·48
7th „	14·28
8th „	12·24

In my opinion the number of posts in higher grades should be raised.

35105 (57). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?—In Central Provinces executive officers exercise judicial functions in criminal cases and in civil suits between landlords and tenants. In my opinion judicial functions should be entirely withdrawn from executive officers.

35106 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—The principle, that the conditions of the Provincial Civil Service as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed, is suitable. But, in my opinion, the posts in the Provincial Civil Service carry high prestige and the members thereof have to maintain the dignity of their position, in the eyes of the public. This is a fact which should also be taken into consideration, in fixing salaries.

35107 (64). Are you satisfied with the existing organisation of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—I have only to suggest here that Munsifs should also be included in the Provincial Service, as they are generally recruited from the very class of Law Graduates, which supplies our Sub-Judges and the duties of both are almost similar. Hence it is but proper that they should belong to one and the same service.

RAI BAHADUR PUNDIT BISHUN DUTTA SHUKLA called and examined.

35108. (*Chairman.*) Will you tell us what public positions you fill?—I am a landholder and Honorary Magistrate of the First Class and Vice-President of the Sehora Municipal Committee, and a Member of the District Council of Jubbulpur.

35109. To what caste do you belong?—I am a Brahman.

35110. You are in favour of establishing a simultaneous examination in England and in India?—Yes.

35111. You admit the necessity for a minimum of European officers in the Indian Civil Service?—I do not say that there is any necessity for fixing the proportion, but I think a minimum is necessary.

35112. Under a scheme of simultaneous examination such as you suggest you would take no steps ensure to that minimum?—I say it would be premature to consider that, unless we have got a fair trial of that competition.

35113. Would you leave it to chance to secure that?—Yes; but then the chance is so remote that it would not come within the range of practical politics.

35114. What reason have you for saying that it is remote?—In the first instance, Indians have to master the English language, which is foreign to them. I do not think for a long time to come that Indians will be able to compete successfully with Englishmen; therefore I say that at least for some years to come there is no necessity for fixing the proportion.

35115. If the minimum was being encroached upon and it was found necessary to institute rules by which the candidates who had passed had to be rejected, would not that be politically dangerous?—No; because we are all agreed that we must have a minimum proportion of European subjects in the Civil Administration and therefore there will be no political danger in introducing a new scheme.

35116. If you are all agreed, as you say, that there should be a proportion, why not fix that proportion when you are establishing your new form of examination?—At present we are unable to say how the scheme will work. We must have some experience of it.

35117. What objection is there to fixing a reserve in the early days of your scheme?—That, again, might be imposing a sort of racial difference, even at this stage.

35118. But will not that racial difference have to be faced eventually?—It will be just saying that we are given competitive examination but only so many Indians will be allowed to come in and no more. Hence I say it is still premature to consider that and we should try to avoid it till it is justified by future experience, when more would oppose it.

35119. In your answer to question (7) you say: "A system of recruitment by means of a separate examination in India may draw an invidious line of distinction between two different classes of recruits, which is not desirable." Why do you think that an examination in India with a limit attached to it should carry with it a stigma?—It may be thought that the standard of that examination may not be so high as that of the English examination.

35120. If the standard were as high, would you still hold the same opinion?—Then the members who came through the English door might say that those who came in by the Indian door were not equal to them in merits. I have suggested that if we cannot have simultaneous examination we must have separate examination as an alternative.

35121. You suggest that officers now-a-days are overworked in the Service here. Would you tell us a little more about your experience in this respect?—As a landholder I have often come into contact with the European District Officers of our district, and they say they are really over-worked. That is what I have often heard from them. That prevents them from mixing with the people very often.

35122. You are speaking now of the Indian Civil Service?—Yes.

35123. Do you suggest that the staff of officers in this province is inadequate to carry out the work?—As far as that is concerned, I cannot say anything. I can only tell you that when I have come into contact with them they do generally complain of that.

35124. You suggest that the Judicial Branch of the Service should be recruited by an entirely separate examination?—Yes.

35125. What advantage do you see in recruiting in this manner?—I think that the members of the Judicial Branch should have a greater knowledge of Law, and therefore I thought that they should be generally members from the Bar; but in order to avoid the method of selection I have suggested competitive examination.

35126. You would like to see all the officers who formed the Judicial Branch of the Service recruited from the Bar?—They should be Law Graduates. That is my view.

35127. Supposing the present open competition were retained, and there were more facilities for training in Law for those who took up the Judicial Branch, would not that meet your view?—I should have no objection provided they are given more legal knowledge.

35128. It is their legal knowledge which you are anxious to see improved?—Quite so.

35129. You urge the claims of the Provincial Civil Service to better pay. Do you think that if better pay were granted to the Provincial Civil Service in this province it would attract a better class of men than are now attracted to it, or do you think that it already attracts to it the best class of men in the province?—In our province I think it attracts the best class of persons. The Extra Assistant Commissioners generally begin at the lowest grade on Rs. 200 a month, while the Tahsildar in the Subordinate Service gets Rs. 250. That position is rather anomalous.

35130. Would you like to see Munsifs placed in the Provincial Civil Service?—Yes.

35131. What is your reason for desiring to see that?—The Munsifs are supplied from the same class of persons, and they have to do the same class of work.

35132. What would you like to see as the lowest rate of pay for Munsifs?—That I would leave for the Secretary of State to decide.

35133. Would you be in favour of seeing a time-scale established for the Provincial Civil Service?—I have not considered that question.

35134. (*Lord Ronaldshay.*) I should like to ask you about your answer to question (24). You say: "If simultaneous competitive examinations are not held in India and in England, the system should be retained and supplemented by introducing rules which would attract more competent Indians to the Provincial Service." What sort of rules had you in your mind when you suggested that?—The manner in which those posts are filled at present has not been found very popular; and therefore there should be some rules in order to attract more competent Indians to the Provincial Civil Service.

35135. What rules would you suggest as best calculated to attract more competent Indians to the Provincial Civil Service?—That is a matter of detail which I leave for the Commission to decide.

35136. But it would be more helpful to us if you, who know the conditions of the Provincial Civil Service from personal knowledge, would suggest something by way of assisting us. In what way do you think that the Provincial Civil Service might be rendered more attractive than it is now?—The number of listed-posts will have to be increased to one-fourth at least, because, at present, the number of listed-posts is but limited. The manner in which the listed-posts have been filled has not satisfied the aspirations of the best men in the Provincial Civil Service.

35137. But generally speaking, apart from matters of that kind, do you think that the Provincial Service is a service which will attract men of the best family in the country?—Yes, under the present circumstances, when they have got no better chances of entering into the Indian Civil Service, then they are attracted by the Provincial Civil Service.

35138. When an ambitious young Indian student wishes to go into the Provincial Civil Service, what does he do? He goes to a University, and I suppose he passes his B. A. degree at the age of, shall we say, twenty: when he has done that, what steps does he take in order to get into the Provincial Civil Service?—He goes to some influential man, and asks his favour to recommend him to any officer, and then he applies to such officer. When the proper recommendation is made I think he is selected for some post in the Provincial Civil Service.

35139. Then, perhaps, he may have to spend two or three years after he has got his degree before he is appointed to the Provincial Civil Service?—Quite so.

35140. What would he be doing during those two or three years?—He would be going from here to there seeking favours, and, of course, attending different officers. If he cannot get in in one district, he will try another.

35141. To put it in plain English, he has to go touting around for certificates from various officers?—Yes; and that is what is being done.

35142. Is that a good system, do you think?—No, certainly not.

35143. What do you suggest as a better system to take its place?—In my answer to question (51) of the Provincial Civil Service questions I have suggested competitive examination supplemented by nomination.

35144. You suggest competitive examination subject to certain limitations. I do not quite know what you mean by these limitations. What limitations would you impose upon competitive examination?—I had in mind that they should be supplemented by nomination, subject to certain limitations. I say: "In my opinion it should be substituted by competitive examination subject to certain limitations, with a view to redress inequalities and secure promotion for qualified

members of the Subordinate Sevice:" not purely competition: that is what I meant.

35145. (*Sir Theodore Morison.*) Would you tell me what you mean by your answer to question (21)? Do you suggest that if simultaneous examinations are not instituted you would revive the Statutory Civil Service with two qualifications or provisos,—first, that they should be graduates; and, secondly, members of high and respectable families?—Yes.

35146. Do you think it is necessary in the present circumstances in India to insist upon good birth and good family?—Of course some value is still attached to it.

35147. By whom?—By the general public.

35148. Do you think they have a higher esteem for a man of good family?—Yes.

35149. Have they got it still?—It still continues.

35150. When you say "High and respectable families," what class of people do you mean—large landowners?—Yes, ancient families, Hindus and Muhammadans, and big landowners.

35151. Big landowners, that I can understand. Anything else?—No.

35152. Nothing else?—Nothing else.

35153. Among the territorial aristocracy, that sort of people?—Yes, that sort of men.

35154. You had no reference to caste, or anything of that sort?—Not at all.

35155. Would it be people who have some hereditary connection with the land?—Yes.

35156. With regard to your other suggestion which you make later on in answer to question (51), do you want to introduce that into the Provincial Civil Service or not?—No, I do not think it is necessary for the Provincial Civil Service if the suggestion in my answer to question (21) is adopted.

35157. You think that in the highest service it is desirable?—Yes; it is only if competitive examination is not allowed; otherwise, I am not at all in favour of that.

35158. But simultaneous examination would pay no regard whatever to that principle, would it?—I say I do not attach much value to that. It is only when we cannot get that examination.

35159. And then we have to fall back upon another principle?—Yes, it is only then. We cannot help that.

35160. As a matter of fact, do you think any members of high and respectable families are likely to get into the Civil Service?—Yes, if they get good education.

35161. But are they well educated, that is what I mean?—At present there may be very few.

35162. There are very few, as a matter of fact, who are well educated?—Yes, at present, only.

35163. (*Mr. Madge.*) With reference to the answer you have just given, the two conditions which you lay down, competitive examination and connection with respectable families, are considered by many people to be mutually destructive, that it is to say, they do not consider that the classes you consider respectable, cannot go, or are likely to go, in for high education. You do not accept that opinion?—As I have said, it is only when simultaneous examination is not to be allowed that I attach some value to this, otherwise not.

35164. I quite understand that; but you give us two conditions which a good many people can consider mutually destructive to one another. You do not agree with that, do you?—No, certainly, not quite.

35165. (*Mr. Fisher.*) In answer to question (59) of the Provincial Civil Service questions you say "But, in my opinion, the posts in the Provincial Civil Service carry high prestige, and the members thereof have to maintain the dignity of their position in the eyes of the public. This is a fact which should also be taken into consideration in fixing salaries." On the other hand, in your answer to question (24) of the Indian Civil Service series, you suggest that certain rules should be introduced which would attract more competent Indians to the Provincial Service. If the prestige of the Provincial Service is already so high, why are not competent Indians attracted to it?—It is not as high as that of the Indian Civil Service.

35166. That is what you mean?—Yes.

35167. What rules are you referring to as capable of attracting more competent Indians to the Provincial Civil Service?—I have not suggested any definite rules. That I would leave for the Commission or the Secretary of State to decide. I am not going to suggest any definite rules. I have simply to urge that it should be kept in view.

35168. (*Mr. Macdonald.*) Have you any experience in your district of the administration of justice by Magistrates suffering because Magistrates try cases out in camp and keep the prisoners and the barristers and the witnesses going from place to place?—It causes inconvenience to the parties concerned.

35169. Have you experienced that?—Yes, I have seen that.

35170. You know, as a matter of fact, that that takes place?—Yes, I know that.

35171. And if something could be done to prevent that, would it be regarded as acceptable by the public?—Certainly.

35172. It would increase the expenses? It would be expensive?—Yes. It would be acceptable to the public even though somewhat more expensive.

35173. (*Mr. Chaubal.*) Is there any feeling in this province that the Executive and Judicial functions of Magistrates may be usefully separated?—Yes, there is some sort of feeling.

35174. May I know in what sections or classes of the public that feeling is entertained?—I have found some of the Executive officers of the Provincial Civil Service complaining that on account of judicial work they are prevented from going into the interior. If they go into the interior the parties are put to much inconvenience. Those would be the people who would want separation of the Executive and the Judicial.

35175. What portions of the public feel that the same Magistrate who has got Executive powers should not try Executive cases?—That is a general feeling among the educated people, and, of course, among the masses also, especially those men who have some experience of the inconvenience to which they have been put. They all feel it.

35176. (*Mr. Standen.*) From your answer to question (35), where you refer to the system of training, I rather gather that you consider the present arrangements for training young Civilians

do not produce that degree of sympathy amongst members of the Commission which is desirable. Do you imply that the present arrangements are not suitable, or that they are suitable, and ought to be continued ?—I have already said that I have not to find fault with the present mode of training. I say that more importance should be attached to the attitude which I have referred to.

35177. In your own case you are occupying a very enviable position as leader of the local co-operative movements in the Central Provinces ?—Yes.

35178. Have you not received considerable assistance and advice from Government officers ? Would it be true to say that your position is largely due to the advice you have received from officers at Jubbulpur?—Yes, I have received assistance from Government officers.

35179. How did you get this impression ?—The fact is that people in the interior do complain that the higher officials do not so frequently mix with them as they used to do previously.

35180. Is it the practice or not for the Deputy Commissioner in the evening, as a rule when the sun goes down, to have his table put outside his tent and call up a number of people in the village to talk with him ?—I am not denying that there are good officers.

35181. Is not that the ordinary practice?—That is the general practice, I must say.

35182. Do you think that the relations between District Officers and the people in the district would be considerably improved if every District Officer's house had a visitors' waiting room attached to it ?—Yes, I think so.

35183. Do you think it a matter of real importance to prevent visitors waiting on the verandah with the chaprasis ?—It hurts the feelings of visitors who go to see District Officers to have to wait outside.

35184. You think that would be an innovation worth making ?—Yes.

35185. With regard to the question of the knowledge of languages, would it be true to say that the great majority of civilians at present are capable of conducting criminal cases in the vernacular ?—No.

35186. You think not ?—No.

35187. They need interpreters ?—Yes, I think so.

35188. I am talking of men of four or five years' service ?—They may be able to understand the people.

35189. I am referring to an ordinary criminal case, and not to speaking in the vernacular on abstract subjects, the sort of matters which come up in criminal cases ?—I do not think they would be able to understand the colloquial Hindi language.

35190. Up to what point would you wish them to know the language ? Ought they to be able to discuss abstract subjects with educated Hindus ?—If they had a knowledge of the language up to the vernacular middle standard that would be sufficient.

35191. (*Mr. Thakur.*) As landlord of a number of villages, you are familiar with the economic conditions of this province ?—Yes.

35192. Now that there has been a considerable rise in the prices, do you think that there has been a corresponding rise in the standard of living amongst the well-to-do and educated class in this Province ?—Yes.

35193. In recommending an increase in the pay of members of the Provincial Civil Service I suppose you have taken those conditions into account ?—Yes.

(The witness withdrew.)

(Adjourned till to-morrow at 10-30.)

Tuesday, 18th March 1913.

THIRTY-FOURTH DAY.

PRESENT :

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.
Sir MURRAY HAMMICK, K.C.S.I., C.I.E.
Sir THEODORE MORISON, K.C.I.E.
MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.
WALTER CULLEY MADGE, Esq., C.I.E.
FRANK GEORGE SLY, Esq., C.S.I.
HERBERT ALBERT LAURENS FISHER, Esq.
JAMES RAMSAY MACDONALD, Esq., M.P.

And the following Assistant Commissioners :—

BERTRAM PRIOR STANDEN, Esq., C.I.E., I.C.S., Officiating Commissioner, Berar.
RAO BAHADUR KASINATH KESHAB THAKUR, I.S.O., District and Sessions Judge, West Berar Division.
MAHDI HASAN, Esq., I.S.O., Extra Assistant Commissioner, Jubbulpore.

M. S. D. BUTLER, Esq., C.V.O., C.I.E. (*Joint Secretary*).

GHAZANFAR ALI KHAN, Esq., I.C.S., Deputy Commissioner, Nimar.

Written answers relating to the Indian Civil Service.

35194 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service ? Do you accept it as generally satisfactory in principle ?—The present system of recruitment by competitive examination

generally satisfactory, though even the staunch advocates of the system will probably concede that it is not by any means the ideal system, inasmuch as it does not constitute a direct test of character. I say direct test, because I am of opinion that a candidate who enters the Civil Service through the door of competition is ordinarily possessed of "grit" apart from the intellectual qualifications connoted by success at the examination. It must, however, be reluctantly admitted that some of the "competition-walas" are deficient in a greater or less degree in the requisite moral qualifications for employment in this distinguished service. I would suggest the following measures for remedying the defect. I understand that candidates for Indian Civil Service open competition are required to give the names of two respectable persons (not relatives or college tutors) to whom references may be made as to character. But no reference is made (if it is made at all) unless the candidate passes the competitive test. The production of certificate of character should be made a condition precedent to admission to the examination in future. No person is in a better position to certify to the character of the candidate than the college tutor, and it is therefore curious that he should be prescribed as a referee under the exisiting rule. He should be an impartial referee provided he is consulted before and not after the open test. A candidate who is morally ineligible may occasionally get in, in spite of the certificate of character. Again it is conceivable that a recruit may deteriorate morally after his arrival in India owing to sudden contact with alien social and moral conditions at an impressionable period of life. I would suggest that such undesirables should be retired on a suitable pension or gratuity within, say, five years of arrival in India. I do not think that elimination of such men will react on the popularity of the service. Indeed I am inclined to think that such a rule will be heartily approved by the majority of members of the Indian Civil Service who are naturally scandalized by the presence of black sheep in their fold. It is perhaps difficult to think of a more competent critic of the present system than Lord Curzon, who had exceptional opportunities of gauging the capabilities of the members of the Indian Civil Service. Now, Lord Curzon's opinion is flagrantly at variance with the opinion of those who consider the Civil Service an effete body. Lord Curzon referred to the Civil Service as follows in his valedictory speech at the United Service Club, Simla:—"It will always, I think, remain the greatest recollection of my public life that for this not inconsiderable period I was permitted to preside over the most efficient and the most high-minded public service which I believe to exist in the world." This verdict is endorsed by a distinguished Frenchman, Monsieur Chailley, who made a careful and a close study of the Indian administration in all its aspects over a prolonged period. The opinion of Monsieur Chailley is all the more weighty in view of the fact that he is an expert on the administration of the French Colonies. I am therefore constrained to think that those who disparage the Indian Civil Service belong to the category of *laudator temporis acti*. As the present system is justified by the result it would be the height of unwisdom to throw it into the melting-pot.

35195 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I consider the combination of the open competitive examination for the Home and Colonial Civil Services with that for the England Civil Service distinctly advantageous to the Indian interest in that it enlarges the field for selection. Occasionally a candidate who would have preferred an appointment in the Home Civil Service takes up an Indian appointment rather than wait for his second "shot." In default of such a man a man lower down the list would have been selected.

35196 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am strongly opposed to the proposal of simultaneous examination. The proposal is open to the following serious objections, among others:—(*i*) I consider the maintenance of the British character of the service a *sine quâ non* of its efficiency for a long time to come. It follows as a corollary to this assumption that the Service should be preponderantly manned by Europeans. Now simultaneous examination, if conceded, will be inimical to this fundamental principle. Even assuming that the adoption of the system of simultaneous examination will not result in an appreciable change in the proportions of the European and Indian members of the service in the immediate future, there is to my mind every likelihood of the European element being seriously reduced, if not swamped, when special educational institutions are established in India on the lines of the famous institution at Powis Square in response to the demand for expert Crammers on the part of the crowd of Indian aspirants to membership of the Civil Service. (*ii*) It has been proposed that the candidates who are selected in India should be sent to England for a couple of years with a view to imbibing European culture. I am, however, doubtful whether the candidates will adequately benefit by the proposed training, seeing that they will have outgrown the most impressionable period of life. (*iii*) The expedient of simultaneous examination will not lessen the expense of administration, if, as I presume, the candidates recruited in India receive the same emoluments as the candidates recruited in England. On the other hand, some of the prominent advocates of simultaneous examination urge this measure on the ground of economy. (*iv*) The destruction of the predominance of the British element in consequence of the over-recruitment of Indians would probably impede the industrial progress of India by frightening away European capital, which is essential to the development of the country for a long time to come. (*v*) It is very doubtful indeed whether the predominance of Indians in the Civil Service will be really welcome to the inarticulate masses under existing conditions, seeing that racial distrust and even antagonism are by no means a thing of the past in this country. It is significant that only recently an application was made

to the United Provinces High Court for the transfer of a case from an exalted court on the ground that the presiding Judge (an Indian) was a co-religionist of the non-applicant! (*vi*) It may safely be predicted that the concession of a system of simultaneous examination would attract an increasingly large number of candidates in India. Having regard to the smallness of the posts competed for annually, the overwhelming bulk of the candidates will be inevitably unsuccessful. The result would be that they will swell the already large multitude of discontended men who are annually manufactured by the Indian Universities. The discontent of the 'failed I. C. S.'s' will be in proportion to the money and time spent on preparation for a notoriously difficult examination. To my mind this is a very grave objection to the proposal, let alone the appalling waste of energy involved in it. (*vii*) Simultaneous examination would sooner or later lead to the entry into the Civil Service of a sprinkling of men from the lower strata of Indian society. Now, it is a question whether such a consummation is devoutly to be wished in the public interests, however laudable it may be in the abstract. For it must be remembered that the Indian Civil Service is a *corps d'élite* and that the occasional irruption into this charmed circle of an 'untouchable' through the door of competition would not only seriously impair the prestige of the Service, but also scandalize public opinion, which has by no means outgrown its deep-rooted prejudice against the pariah. The inference seems inevitable that India is not yet ripe for the system of simultaneous examination.

35197 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, please describe fully what system you would recommend. In particular do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—I am not in favour of any of the alternative methods specified in these questions. I consider it desirable to give a larger portion of the superior posts to Natives of India as a concession to the aspirations of the educated classes. Subject to the predominance of the European element I would offer every facility for the recruitment of Indians by the following methods:—(*i*) Promising Indian students should be offered Government scholarships on a liberal scale to enable them to proceed to England and compete for the Indian Civil Service. There are altogether six Universities in India, and at least two candidates should be selected from each University annually. These candidates should be offered scholarships of £200 *per annum*. The scholars should be graduates, and assuming that they are 20 years of age when they pass the examination—the minimum age prescribed by Indian Universities for the matriculation examination is 16 years—they would have a fair prospect of success at the open competition, provided the present age-limits are maintained. I calculate that 75 per cent. of the scholars who will be the pick of the Indian Universities, *ex hypothesi*, will be successful. The unsuccessful scholars might advantageously be absorbed in the Provincial Civil Service or other public service for which they might possess special aptitude. I may observe in passing that scholarships to promising Indian students are offered by private associations to this end, but the scope for private enterprise in this direction is necessarily limited. It is however worthy of remark that the experiment has decidedly proved successful. (*ii*) To facilitate the entry of Indians into the Civil Service I would alter the syllabus of the competitive examination to some extent. [*Vide* answer to question (21)]. (*iii*) Some of the superior posts should be filled by selected members of the Provincial Civil Service as at present. (*iv*) Government should be empowered to employ men other than members of the Provincial Civil Service in very exceptional cases subject to the conditions specified in section 3 of the Civil Service Act. I consider it desirable that the Judicial branch of the Provincial Civil Service should be recruited to some extent from the legal profession in India, and section 3 of the Civil Service Act will permit of the representation of this element. The representation of all classes and communities in the Civil Service is a counsel of perfection under existing conditions. Such an ideal cannot be realised without sacrifice of the all-important principle of efficiency of the Service until the backward communities are abreast of their more advanced brethren and until racial prejudices and antipathies are a thing of the past.

35198 (13). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so please describe the system that you would propose?—*Vide* answer to question (10). In view of the marked aptitude shown by the members of the Provincial Civil Service for judicial work, it seems desirable that a modicum of the higher posts in the Judicial branch of the Civil Service should be filled by them. Some posts should also be thrown open to eligible members of the Indian Bar. Subject to the above remarks the Judicial branch of the administration should continue to be manned from the Indian Civil Service. The adverse criticism directed against the Civilian Judges is not due to any inherent defect in the existing method of recruiting for Judgeship, but to the faulty system of training followed in most provinces. Given sound training in the early years of the Service, there is no reason why a Civilian Judge should compare unfavourably with his Barrister confrère. Indeed his initial training as an executive officer—he should not specialise in judicial work until completion of four years—should enable him to have a firmer grasp of facts and a more intimate knowledge of men and affairs than a Barrister, Judge, who has not undergone similar training. In this connection it is important to bear in mind that India possesses perhaps the best system of codified law in the world, and consequently the mastery of Indian Law is comparatively easy. Moreover, a capable Judge has an important auxiliary in the Bar, which is rapidly increasing in number and efficiency

in this country. The attempt to erect the law into a fetish is to be deprecated. A system which is susceptible of producing Civilian Judges of the calibre of the late Sir Raymond West should not be condemned without conclusive proof of its ineptitude. The lamentable lack of despatch which characterised the trial of some recent *causes célèbres* in Indian High Courts does not assuredly tend to inspire over-confidence in a judiciary predominantly manned from the legal profession. I may perhaps be permitted to quote the following remark of Monsieur Chailley, an able French critic, on the slow course of Indian justice :—"Outside the Presidency towns the procedure of the courts seems to be very complicated, slow and costly and unsuited for about one-third of India. Besides English Civil Law is one of the most cumbrous in the world, and its application to India is not an unmixed success." My own opinion is that a due admixture of the Civilian element in the *personnel* of the higher civil courts is a safeguard against accentuation of the notorious tendency to the "law's delay" which is characteristic of the present *régime*.

35199 (15). If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education ?—I consider the present age-limits suitable for the following reasons :—(*i*) Indian candidates would be further handicapped by the reduction of the age-limits. (*ii*) It is desirable to attract candidates who have completed a University course and the present age-limits are eminently adapted to this end.

35200 (18). What is the most suitable age at which junior civilians should arrive in India ?—I consider that junior civilians should arrive in India when they are about 24 or 25 years of age. Considering that the young civilian is ordinarily placed in positions of responsibility even at the outset of his career, it is obviously desirable in the public interest that he should be fairly mature when he embarks on his official career. Moreover, he will possess a greater measure of *savoir faire*, and this is an indispensable qualification in a civilian whose lot is cast among the Indians, who are a notoriously sensitive people.

35201 (19). What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons ? (2) Do you recommend any differentiation between the age-limits for "Natives of India" and for other natural-born subjects of His Majesty ?—*Vide* answer to question (15). The present age-limits would enable Indian candidates to proceed to England after taking their B.A. Degree, and this is a point of considerable importance if my proposal regarding the grant of scholarships by Government be accepted. *Vide* answer to question (10). I am opposed to any differentiation between the age-limits for Natives of India and other natural-born subjects of His Majesty.

35202 (20). On what principle should the subjects for the open competitive examination be fixed ? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period ?—I accept the principle. It is, however, open to question whether the authorised syllabus complies with this principle. The principle underlying the syllabus is enunciated by Jowett in the following words :—"It will not do to frame our examination on any theory of examination. We must test a young man's ability by what he knows, not by what we wish him to know." This was explicitly avowed in the report by the author of the scheme himself.

35203 (21). Please examine the table in Appendix I to these questions, which shows the various phases of the authorised syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (*a*) of school-leaving age and (*b*) of University-leaving age ?—I would recommend the following changes in the authorised syllabus for competitive examination. The marks assigned to Sanskrit and Arabic should be raised from 800 to 900 each and distributed as follows :—Literature and Grammar 400; Translation 300; Prose Composition 200; total 900. Indian History (including History of Indian Constitution) should, I think, be included in the syllabus and 600 marks assigned to it. These changes, if accepted, will slightly benefit the Indian candidate, who is seriously handicapped in the open competition. When this syllabus was first drawn up in the '50's the contingency of Indians competing for the examination was not foreseen. This is apparent from the following extract from Macaulay's report :—"The marks we conceive ought to be distributed among the subjects of examination in such a manner that no part of the *kingdom* and no class of schools shall exclusively furnish servants to the East India Company." The italics are mine.

35204 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons ? Please state in detail what alterations (if any) you recommend in the schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54), and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions]?—I consider it desirable that the posts specified in the schedule of the Indian Civil Service Act of 1861 should continue to be reserved for the Covenanted Civil Service. I also

consider it desirable that Schedule II of the Act should be amended so as to include posts of the same class in the Non-Regulation provinces which are at present included in the scope of the Act by administrative orders.

35205 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—The Indian administration is essentially British in spirit as I have already stated, and I consider it necessary to maintain the predominance of the British element with a view to the efficiency of the Service. I do not think these principles would be jeopardised if one-third of the superior posts were filled by Natives of India, whether recruited by open competition in England or by appointment in India in the manner described in the answer to question (10). This percentage should be the maximum and it should be worked up to by degrees *pari passu* with increase in the number of suitable Indian candidates. I consider it feasible to fill 25 per cent. of the superior posts by Natives of India including Indians who are members of the Covenanted Civil Service under present conditions. It would be preferable to fill the bulk of the reserved posts by Indians recruited in England, but this is out of the question unless the method recommended by me in answer to question (10) is accepted. In any case it would be some years before the suggested measures have the desired effect of sensibly augmenting the number of Indians in the Civil Service by recruitment in England. In the meantime the deficiency should be made good by the appointment of selected members of the Provincial Civil Service. This would involve a considerable immediate increase in the number of listed posts in some provinces. The vested interests of the members of the Civil Service already employed should of course be safeguarded in effecting any such readjustment. I venture to think that the above proposal, though it involves perhaps a large concession to Indian aspirations, has the elements of finality. In this connection I may perhaps be permitted to quote the following remarks of Lord Dufferin on the then Indian situation, which I think still hold good:—"Now, I think it is desirable that the Government should make up its mind as soon as possible in regard to the policy it is determined to pursue, for evidently India is not a country in which the machinery of democratic education can be applied with impunity. My own inclination would be to examine carefully and seriously the demands which are the outcome of these various movements; to give quickly and with a good grace whatever it may be possible or desirable to accord; to announce that these concessions must be accepted as a final settlement of the Indian system for the next ten or fifteen years." Curiously enough Lord Dufferin anticipated Monsieur Chailley, who sums up the Indian situation in the eloquent passage:—"*La lutte reprend jusqu'à ce que l'indigène arrache un nouveau lambeau de pouvoir, et que la vanité satisfaite de parlementaire endorme à nouveau son activité. Mais l'assaut fatalement doit recommencer. Car —et c'est là un phenomène à noter—l'indigène n'est pas, ne peut pas être satisfait. Ce qu'il emporte ce ne sont que les concessions auxquelles fait défaut le seul caractère qui pourrait le reconcilier avec la domination britannique: la spontanéité et la bonne grâce.*"

35206 (28). Do you consider that the old system of appointment of "statutory civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—The consensus of opinion is against the revival of the old system of statutory civilians, which savoured of favouritism. I agree in this opinion.

35207 (31). If the system of recruiting military officers in India has been stopped, or has never existed in your province, would you advise its re-introduction, or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent should it be adopted?—The Central Provinces Commission was largely manned by military officers in the old days, and from all accounts they were suited to the patriarchal *régime* of that period. I am, however, convinced that it is undesirable to reintroduce the system, since the work which falls to the lot of the modern Civilian demands widely different qualifications.

35208 (36). Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilised and in what directions?—I do not think the percentage has ever been worked up to in these Provinces. As I have already stated, the power should be exercised in the direction of recruiting men from the legal profession.

35209 (37). Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction (*a*) to the members of the Provincial Civil Service; and (*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?—The merging of the inferior listed posts in the Provincial Civil Service has satisfied the national aspirations to a large extent. This measure is in harmony with the recommendation of the last Public Service Commission, which urged that indigenous agencies should be more largely employed in the public service. "Considerations of policy and economy alike require" observed the Commission, "that so far as is consistent with the ends of good government the recruitment of the official staff in England should be curtailed and advantage taken of qualified agency obtainable in India."

35210 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—I consider the system is generally satisfactory and would recommend its continuance.

35211 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—The duration of the course should be one year as at present.

35212 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved university?—Yes.

35213 (46). If so, do you advise the selection of one or more universities for this purpose and for what reasons?—I would emphatically recommend the selection of the Universities of Oxford and Cambridge for this purpose. These two residential Universities between them supply the bulk of the successful candidates who usually spend their probationary year there. The concentration of the large number of probationers at either University is in itself an educative influence, it engenders an '*esprit de corps*' which is fostered by the quasi-Indian atmosphere imparted by the presence of several distinguished ex-Indian Civilians and by the periodical discussion of topics of Indian interest under the auspices of special committees at both Universities (I believe).

35214 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—Yes. I would recommend allowance of £150 *plus* first class passage to India. The allowance should be contingent on residence at Oxford or Cambridge University.

35215 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—No. I consider that the advantages of a separate institution in England would be outweighed by the drawbacks. In the first place it would be difficult to secure competent teachers like those available at Oxford or Cambridge, secondly the scheme would be much too costly.

35216 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—Yes. My answer applies with even greater force to candidates who pass the open competitive examination after completing the University course.

35217 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you?—I consider the course of studies prescribed for probationers in 1912 as satisfactory except that Indian History should not be offered by a candidate who has offered it at the open competition, assuming that it is included in the authorised syllabus as suggested.

35218 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts?—This is not feasible unless the period of probation is extended to 2 years, but given the present age-limits it would be extremely unwise to make any change in this respect. The existing system is fairly satisfactory and should, I think, be adhered to.

35219 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—I consider that the probationer's course of instruction can best be spent in England.

35220 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—I strongly deprecate the proposal to start a central College in India. The failure of the Fort William College is, I take it, a sufficient argument against the revival of the project. Moreover, even assuming that the scheme is workable, it would be much too costly.

35221 (55). What is your opinion of a proposal that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—The main objections to this proposal have been succinctly but forcibly stated in question (56). I would add that the proposal is also open to the objection of expense.

35222 (56). In the report of the Treasury Committee appointed to consider the organisation of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district headquarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—No.

35223 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? It so, please state the special arrangements that you recommend?—I do not consider that any differentiation is necessary between the course of study for the two classes of

probationers. I would, however, make it obligatory on the Indian probationer to spend the period of probation at Oxford or Cambridge. I consider that prolonged contact with the intellectual, social and moral atmosphere of a residential University is of great value to an Indian recruit to the Civil Service. I know of several instances in which Indian recruits never came in contact with a residential University in England.

35224 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—I consider the present arrangement generally satisfactory.

35225 (61). Is the existing system of Departmental examinations suitable, and if not, what change do you recommend?—Yes. I would, however, make the Departmental language test more severe. Under the existing rules a candidate is declared to have passed if he obtained 50 per cent. of the maximum number of marks in each paper of the written portion of the examination, provided he also passes the colloquial test. I think there should be two standards in languages, as in law and procedure and accounts. The lower standard should be 50 per cent. and higher standard 75 per cent. of the full marks assigned to each paper, and promotion to the Rs. 500 grade should be contingent on passing by the higher standard. I would further suggest that an officer should be kept in the same language area in the early years of his service as recommended by the Decentralization Commission. I also endorse the following recommendations of the Decentralization Commission:—(*i*) No junior Civilian should be appointed to the Secretariat or other duties at headquarters until he has become thoroughly proficient in at least one language. (*ii*) The confidential reports now submitted on Civilians should lay special stress on their ability to speak the vernacular, and the record of practical language proficiency should be maintained in the Secretariat. (*iii*) In making appointments to particular districts or divisions knowledge of the vernacular should be regarded as of at least as great importance as seniority.

35226 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—I am not in a position to institute any comparison. The Decentralization Commission has recorded that there was a large preponderance of evidence that the European officers serving in Madras, Bombay and the two Bengals were imperfectly acquainted with the languages spoken there. The Commission observed that these are the provinces where the knowledge of English is most diffused among the educated classes and where a variety of vernaculars exists. This coincidence is no doubt significant. Another cause which has to my mind discouraged the study of vernaculars by European officers is the revolution effected by the Suez Canal. It has been shrewdly said: "The Suez Canal has brought England and India closer together only to separate them the more." The fact is that India is no longer the adopted home of the European officer; it is but a land of exile. Finally, the marked increase in the number of Europeans who are permanently or temporarily resident in India has conduced to their alienation from the Natives of the country. The remedies suggested in the answer to question (61) would be efficacious in my opinion.

35227 (63). Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and if so, what changes?—Under the existing rules an officer serving in the Upper Provinces is eligible for examination in Bengali, Assamese and Ooriya, provided he has obtained a certificate in any of the following languages: Sanskrit, Arabic, Persian, Hindustani, Hindi. I would remove Bengali, Assamese and Ooriya altogether from the list of subjects prescribed for the Upper Provinces, as these three languages cannot obviously be of any practical use to an officer serving in the Upper Provinces. I am also doubtful as to the expediency of the recent amendment to the rules which permits an officer to earn a reward for the Degree of Honour standard at any time within the period of his service; such a concession is of doubtful advantage to the public service and is likely to give a fillip to pot-boiling. I would strongly recommend a return to the old rules under which the maximum periods for the higher standard, high proficiency and Degree of Honour examination, were 5, 10 and 15 years, respectively.

35228 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—I do not consider any special steps to be necessary in this respect as regards the junior Civilians selected for the executive branch. As regards Civilians selected for judicial branch they should not be appointed to Divisional Judgeships until they have been trained in Civil work as Subordinate Judges and Magistrates for a reasonable period, say 5 years. They should not be definitely transferred to the judicial branch until they have completed their four years' service as Assistant Commissioners. As I have already stated, I consider their preliminary training in executive work of vital importance, as it enables an officer to obtain a first-hand knowledge of men and affairs by intimate contact with the people of the country. A junior Civilian who definitely elects for the judicial branch should, I think, be permitted to take two years' study leave to Europe on furlough allowance before the completion of 8 years, with a view to the study of law at an approved University or with a view to a call to the Bar. I do not recommend any special allowance in view of the fact that the furlough allowance is substantial.

35229 (68). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty?—No.

35230 (70). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service, who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? — No.

35231 (72). The present theory underlying the conditions of service in the Indian Civil Service is that (*a*) the members of the Service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem*, is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—I accept the system. I also consider the period of eight years suitable, irrespective of whether the present age-limits are retained or not. I assume that the probationary period would be at least two years if the age-limits are largely reduced.

35232 (73). It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior posts," and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. Do you accept this as a suitable arrangement? If not, what alteration would you suggest and for what reasons?—Yes.

35233 (81). Junior officers are considered to be under training during the first two years of their service. Does this approximate to the actual conditions? If not, what alteration is necessary in the percentage of 15·5 allowed for training?—Yes.

35234 (87). Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—The existing system of recruitment is markedly defective, with the result that it has seriously impeded the flow of promotion in these Provinces in recent years. I am strongly in favour of a time-scale of pay similar to that recently approved by the Secretary of State for the Political Department. I would also suggest that the recommendation of the Decentralisation Commission regarding promotion by selection to higher appointments and the compulsory retirement of unfit officers, should be rigorously enforced in future. *Vide* paragraphs 637, 640, 642, 643, 646 and 647, Chapter XIV, of the Decentralisation Commission's Report.

35235 (88). To what extent are the functions of the Officers of the Executive and Judicial Branches of the Indian Civil Service differentiated? Is any change desirable and, if so, in what direction?—I consider that the functions of the Executive and Judicial Branches of the Civil Service have been sufficiently differentiated in this Province. I would deprecate any further differentiation of functions, which would lessen the powers and prestige of the District Magistrate, and thus handicap him in the preservation of the peace of the District in cases of emergency. The proposal is also open to the objection of expense, since a hard and fast separation of judicial and executive functions is bound to result in an increase in the *personnel*. Finally, I am doubtful as to whether the insistent demand for separation of executive and judicial functions on the part of the educated classes, who form a microscopic minority of the population, would be endorsed by the masses in the event of a *plebiscite* being taken. I have never heard any complaint on this score from the people, and enquiries made by me of experienced members of the Provincial Civil Service confirm me in the opinion that the agitation against the continuance of the present system is not by any means a reflection of popular feeling. A distinguished member of the Provincial Civil Service who has just retired told me lately that he could not recall a single instance in which the District Magistrate interfered with his judgment and discretion in the disposal of criminal work. This testimony is significant, emanating as it does from an officer whose service extended over 30 years and more. That there have been cases in which District Magistrates have unduly fettered the discretion of the Subordinate Magistracy, cannot be gainsaid, but such cases are, I think, very few, and it would be preposterous to discard a system because of the occasional lack of judgment shown by individual District Magistrates. The power for mischief of even the most despotic and arbitrary District Magistrate is, however, greatly minimised by the many effective checks on injustice already provided by the Criminal Procedure Code.

35236 (92). Are the present rates of pay and grading suitable? If not, what alterations do you recommend? (93) If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts or to both?—[(92) and (93).] The present rates of pay and grading are unsuitable. I understand that the matter has been repeatedly represented by the Local Administration. The introduction of a time-scale of pay would remedy the indefensible inequalities of promotion and prospects inherent in the existing system.

35237 (94). Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on the score exist in your

Province, and if so, what?—Yes. Grave dissatisfaction is felt by the members of the Central Provinces Commission owing to the fact that their pay is regulated by a scale inferior to that in any province. This dissatisfaction is accentuated by the absence of any prize posts to which officers in other Provinces may aspire. Considering the increasing tendency to uniformity in the conditions there should be uniformity of pay for officers doing similar kinds of work in all provinces. Any differentiation in this respect is invidious and inequitable.

35238 (95). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—I consider that exchange compensation allowance should be abolished; the vested interests of officers already employed would be adequately safeguarded by the introduction of a reasonable time-scale of pay.

35239 (99). What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service or not? (100). As an alternative do you recommend a system by which each main class of appointment would have a separate time-scale?—[(99)—(100).] I would recommend the introduction of a system of time-scale pay which is decidedly more scientific and equitable.

35240 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the Service?—Yes. I consider that this differentiation is on the whole justified by the following considerations:—(*i*) Generally speaking the European Civilian has a higher standard of living than his Indian confrère who is not recruited in England. (*ii*) He is obliged to take leave to Europe occasionally for the benefit of his health. (*iii*) Assuming that a minimum of European officers is indispensable to the efficiency of the Civil Service, the sacrifices involved in employment in foreign country require some compensation. I am, however, inclined to think that it would be expedient to raise the salaries of the Indian officers in question approximately to three-fourths of the salaries drawn in the same posts by members of the Indian Civil Service.

35241 (109). Do you consider that the rates of furlough allowances are suitable?—Yes.

35242 (110). Do you recommend any change in the concession, granted in 1893, under which leave allowances, expressed in rupees, other than privilege leave allowances, issued at the Home Treasury, or in a colony with a gold standard of currency, are issued in sterling at the privilege rate of exchange of 1*s.* 6*d.* the rupee? If so, what change?—I consider the concession adequate.

35243 (111). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?—Yes.

35244 (114). In particular are they (the present leave rules) a contributory cause of excessive transfers of officers of the Indian Civil Service and, if so, how can this difficulty be met?—(115). Do any of the present leave rules press hardly in any way on officers of the Indian Civil Service themselves and, if so, in what respects? What is, in your opinion, the appropriate remedy?—(114) and (115). I agree in the main with the views of the Decentralisation Commission on the subject. *Vide* paragraphs 157 (i) and 656.

35245 (121). In particular, what is your opinion of the arrangement by which members of the Indian Civil Service, who are appointed Judges of High Courts, obtain special pensions of £1,200 a year after 11½ years' actual service as Judges? Do you recommend any change in the present conditions?—I entirely agree with the views of Sir Ralph Benson on the subject.

35246 (122). Do you consider that a similar system should be applied to the cases of high Executive officers, and if so, to which? Please state the amount of pension and the conditions which you recommend as suitable?—I consider that Heads of Provinces should after five years of office get a pension of £1,500.

35247 (124). Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Yes. The pension should, I think, be proportionate to the period of active service rendered by the officer to be retired. To retire such officers without pension or even on inadequate pension would naturally cause a feeling of insecurity which would react on the popularity of the Service.

35248 (125). Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?—I consider the present rules satisfactory in the interests alike of Government and of the members of the Civil Service, provided inefficient officers are retired as soon as their unfitness becomes apparent.

35249 (127). Do you approve of the present system regulating the pensions of Statutory Civilians?—Yes.

Written answers relating to the Provincial Civil Service.

35250 (1). Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The conditions are on the whole suitable in my opinion. The candidates for appointment by recruitment are, I believe, annually nominated by

Commissioners and Heads of Departments and selection is made from among such nominees by the Local Administration. This procedure ensures the representation of the different classes who have availed themselves of the facilities for higher education. The selection is not attended with any difficulty at present, since the annual output of graduates in these provinces is relatively limited and a considerable proportion of them succumb to the strong attractions of the legal profession or are later on absorbed in the judicial service as Munsifs. It is, however, on the cards, that there will be a large increase in the number of candidates for appointment direct to the Provincial Civil Service with the extension of higher education in the near future. The result will be that the task of selection by the method of nomination will become increasingly difficult and invidious. When this stage is reached it will be desirable to throw open a modicum of appointments to competition. An incidental advantage of the proposed modification is that it will permit of the due representation of the backward classes, who ordinarily lack the influence to secure appointments by nomination.

35251 (7). To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?—Recruitment should, I think, be ordinarily restricted to residents of the Province. Under the existing rules the Local Administration reserves to itself the right to appoint persons who have recently resided for three years within the provinces or in very exceptional cases outsiders. I consider this a very salutary rule. It should be used to secure the due representation in the Provincial Civil Service of a backward community, *e.g.*, the Native Christians.

35252 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—No. Brahmans predominate, their numbers being out of proportion to their numerical strength in these Provinces. The Muhammadans have secured a larger share of appointments in the Provincial Service than they can legitimately claim on the basis of their population. These inequalities are principally due to the backwardness of the other communities educationally. Assuming that the efficiency of the Service is the paramount consideration which should govern recruitment of officers, the predominance of the Brahman element must continue for many years to come. The due representation of the other classes, however, can be accelerated by the encouragement of higher education among the poorer sections of the community by the grant of Government scholarships on a liberal scale.

35253 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and if not, what alterations do you recommend? (10) Is the existing system of Departmental examinations suitable, and if not, what changes do you recommend?—(9) and (10). I consider the system of training and probation suitable. I would, however, suggest that a probationary Extra Assistant Commissioner should receive Rs. 150 *per mensem* instead of Rs. 100 on appointment, and that he should begin to draw Rs. 200 *per mensem* on passing all the examinations by the higher standard even though he may not be confirmed as soon as he passes the examinations. I would abolish the present grade of Rs. 200, which is peculiar to the Central Provinces. (*Vide* Appendix B.) I understand that officiating Munsifs get Rs. 125 *per mensem*, and considering that they belong to the Subordinate Service it seems anomalous that an officiating Extra Assistant Commissioner should receive smaller emoluments, especially as he is required to keep a horse and probably a conveyance for out-door work. The adoption of the above suggestions would, I consider, conduce to the increased popularity of the executive branch of the Provincial Civil Service.

35254 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—[*Vide* answers to questions (9) and (10).] Some members of the Provincial Civil Service are strongly in favour of a time-scale of salary, but I am of opinion that the present system is preferable in existing circumstances in that it affords a strong stimulus to efficiency. There seems no reason why the salary of the members of the Provincial Civil Service in these Provinces should not be brought into line with that in Bengal and Bihar where the highest grade is Rs. 1,000.

35255 (32). Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest? (33) Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—(32) and (33). Generally speaking the present leave rules do not bear hardly on members of the Provincial Civil Service who are averse to taking leave at frequent intervals owing to the social conditions which make travelling unduly inconvenient and expensive. The leave is ordinarily taken by them for the performance of marriage or funeral ceremonies. The work which now falls to the lot of the member of the Provincial Civil Service is far more exacting and strenuous than in old days and consequently there is greater need for the occasional recuperation of health and energy. The increasing facility for travelling in India, coupled with a slow but steady emancipation of the people from the thraldom of custom, will undoubtedly rapidly overcome the present aversion to travelling felt by the average member of the Provincial Service. In view of these considerations I am of opinion that the existing leave rules should be brought into line with the rules applicable to the European Service. Such a concession to the Provincial Service, which is a very important factor in the administration, would, I feel convinced, be greatly appreciated by the members of that Service. It would also result in increased efficiency and thus conduce to public interest.

35256. (43). Do you approve of the present system regulating pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—A member of the Provincial Civil Service who has held a listed post for a period of five years should, in my opinion, receive a pension of Rs. 600 per mensem. *Cf.* Article 474, Civil Service Regulations.

Mr. G. A. KHAN, I.C.S., called and examined.

35257. (*Chairman.*) You are a Deputy Commissioner?—Officiating Deputy Commissioner at Nimar.

35258. To what part of India do you belong?—Bengal.

35259. Where were you educated?—Partly at Calcutta, and partly in England.

35260. What University did you go to in England?—Cambridge. Before going to Cambridge I read for some time at University College, London, for about a year.

35261. What did you do at Cambridge?—I studied for the Indian Civil Service, and for an honours degree.

35262. How many years have you been in the Service?—I have completed thirteen years.

35263. Your proposal for the extended employment of Indians in the Service is to give a certain number of scholarships?—Yes.

35264. You suggest twelve scholarships annually?—Yes, at least twelve.

35265. And these scholarships are to enable students to go to England and have a University training?—Yes; with a view to competing at the Indian Civil Service examination.

35266. At what age would you suggest that they should arrive in England?—At the age of twenty, provided they are graduates.

35267. How would you select these candidates in India?—Through the Universities.

35268. What form of selection would they go through?—The main criterion would be merit. I should think they would take into consideration the success of all the candidates at the examinations from the matriculation up to B. A., just as they do at present in connection with other scholarships. The Government of India offer scholarships so that young men can go to England to pursue their studies for various careers. The arrangements would be the same. I would pick out the most promising men from the different Universities.

35269. Would your Selection Board be a central body representing India?—No, I would leave this to the Local Government or the Universities, as the case may be.

35270. Would you favour the idea of having any non-official member upon that Board of Selection?—I do not think it is necessary. The Universities would be absolutely impartial, because all classes are represented in the Senate.

35271. You would ask the authorities of the Universities first to select, and then those names would be submitted to the local Government, and they would either confirm, or not?—Yes.

35272. You anticipate that if such scholarships were granted, in a short time something like 75 per cent. of those who went home would probably be successful at the examination?—At once, I should say. I am arguing from concrete instances. I know at least half a dozen Indians who have been able to compete for the Indian Civil Service after staying in England only a couple of years. After a couple of years' study in England they competed successfully for the Indian Civil Service. They are men who had done very well in India. They took high Honours in Mathematics and Science. Two years' study in England was quite sufficient to enable them to compete successfully for the Indian Civil Service. According to the arrangements I have suggested men will have three years to compete, and I think that gives them ample margin.

35273. What is the suggested value of the scholarships?—I have suggested £200; but I am inclined to think that it may probably be necessary to increase it to £250. I am not sure whether £200 would be sufficient. The scholars would be mostly young men who have no private means.

35274. These scholarships of £250 a year would be tenable for three years?—Yes.

35275. So that you would have a group of 36 scholarships?—It works out at one lakh and eighty thousand rupees a year when the arrangement is in working order.

35276. You also suggest a change in the Syllabus of the examination so as to give it a more Indian tinge?—Not a more Indian tinge, but to reduce the handicap upon Indians, which at the present moment is immense. The modification I suggest is very slight.

35277. What is your suggestion?—As I have said in my written answers, I propose that the marks assigned for Arabic and Sanskrit should each be raised from 800 to 900. When I went up for the Indian Civil Service the marks for Arabic were 500. Since then they have been raised to 800. There has been a tendency to equalise these. I would raise the marks to the same level as Latin and Greek. Even then, I think the Indian candidates will be at a disadvantage.

35278. In addition to that you would recruit a few persons direct from the Bar?—Yes.

35279. What proportion would you like to see recruited from the Bar?—A very small proportion indeed. I would recruit, primarily, from men selected in England, and afterwards from members of the Provincial Civil Service, that is those who are entitled to listed-posts; and then any deficiency would be made good by recruitment from the Bar.

35280. You think that the various sources for recruitment which you have indicated would prove serviceable to the administration?—Yes, it would increase the percentage of Indians in the Service, and that would go a long way towards satisfying the aspirations of Indians.

35281. You think that fully qualified men would be found ready and willing to accept posts in the Judiciary from the Bar?—I think so.

35282. You favour the present age-limit with one year's probation to follow?—Yes.

35283. And you would relegate the Judicial training to a rather later stage in an official's career?—Yes.

35284. When you say,—"A rather later stage," how many years would you suggest that a man should be in the Executive before he was moved into the Judicial line?—I have suggested four years in my reply, and I adhere to that.

35285. You think that four years' work in the Revenue and Executive line will prove of use to him in his subsequent career as a Judge?—Yes, I think so. In those four years one is eager to learn, and one can learn a good deal. One is fresh, and one imbibes more knowledge.

35286. We have had a great deal of evidence from various witnesses with regard to the necessity for a closer study of law from the beginning. I gather from your answers that you do not regard that as so important?—No; because I think the legal system of India is simple enough to be mastered within a reasonable time. It is not so complicated as the English system of law, and I think it could be mastered by an average person within eight or nine years. So that a man would be a Subordinate Judge for some four or five years and would be Sessions Judge by the time he is raised to the High Court Bench, and he ought to be quite a good lawyer. One learns as one goes on working.

35287. You think that his practical experience as a Subordinate Judge would fully qualify him for his higher position?—Yes.

35288. What about his work whilst he is a Subordinate Judge? Do you think he will be sufficiently qualified to discharge that work efficiently?—Yes. Every Civilian comes out with a certain legal equipment to begin with, and if a Civilian has any inclination for the Judicial Branch of the Service he would probably keep up his knowledge of law during the four or five years he would be employed in Executive work, and afterwards it would be a great help to him. Now that we have got a good Bar, I think a man cannot possibly go wrong: he ought to be able to perform his duties with efficiency as a Subordinate Judge. You must remember that you are dealing with men who have already proved their ability in assimilating knowledge by competitive examination, and by the University degrees they have already attained.

35289. What actual experience would the officer have had in Civil work prior to his becoming a Subordinate Judge under your scheme?—Most of the young Civilians are also required to do a certain amount of civil work. They are called Additional Judges to the Court of Subordinate Judges in almost every district. They try Civil cases, so that they gain some experience. They have to study the Civil Procedure Code, and the Civil Law, both for the Departmental examination as well as for the examination in England.

35290. Is that universal in the magisterial line?—I think so.

35291. Would you regard that as sufficient training and equipment for an officer taking up the position of a Subordinate Judge?—I think so.

35292. You attach great importance to the University course?—I do.

35293. You look back upon your life at the University as one of profit and pleasure to yourself?—I think so, certainly: so much so, that I spent five years at Cambridge instead of the usual three years.

35294. How many years ago were you there?—I was in England for seven years, out of which I spent five years at Cambridge.

35295. Were there many Indians in residence at Cambridge during your time?—There were about sixty in my time. The number has gone up since.

35296. During what years were you there?—I was at Cambridge from 1895 till 1899.

35297. Now as regards your work as a Deputy Commissioner. Do you find the work which you have to discharge very onerous?—That depends upon the District. Some Districts are very heavy, whilst others are light.

35298. What do you regard your own District as, light or heavy?—It is moderate. I have been in charge of a heavy District too.

35299. How many hours a day, approximately, are you actually at work?—It is very difficult to tell. It depends upon the personal element. Some people work more than others, although it may not be absolutely necessary. You will find Civilians who work about eight hours a day, even in a small District, because they like the work. They do many things which are not absolutely necessary. It is very difficult to answer that question, but I should say in an average District one ought to be able to get through one's routine work in about six hours. The work varies.

35300. That is not unduly heavy?—No, that is not unduly heavy.

35301. From your knowledge of the Province, do you consider the Executive staff adequate for the work they have to discharge?—Yes, I think so.

35302. (*Lord Ronaldshay.*) I think your suggestions for recruiting Indians to the higher Service, are, firstly, a system of scholarships to facilitate their getting in through the English examination; and, secondly, a small recruitment from the Bar to the Judicial ranks of the Service; and, thirdly, some extension of the listed posts system until a considerably larger number of Indians get into the Service through the English examination?—Precisely. Those are my views.

35303. Can you tell me from your knowledge of your educated fellowmen in this country whether you think those proposals would satisfy the demands of the educated classes in India to-day?—I think my proposals, if considered, will satisfy the demands of the moderate Indians of to-day, but not the irreconcilables. Those who want to run India on purely Indian lines would not accept my proposals. The majority of the educated classes, however, would accept them as satisfactory. In the immediate future I presume 20 per cent. of the superior posts will be thrown open to Indians; and if that is done I think they will be entirely satisfied under present conditions.

35304. This is, perhaps, not a question which you can answer very definitely, but could you give me any idea whether what you call the extremist class in India, the class which wishes to

run the Service on Indian lines, is a large one as compared with the moderate educated classes?—I think it is a very small one as compared with the moderate educated classes.

35305. With regard to your suggestion for scholarships, I notice that in answer to question (10) you say:—"I may observe in passing that scholarships to promising Indian students are offered by private Associations, but the scope for private enterprise in this direction is necessarily limited. It is however worthy of remark that the experiment has decidedly proved successful." Can you give us some information as to what success has followed upon this private enterprise?—I can recall at least six instances in which Indians were sent to England at the expense of private Associations with a view to competing for the Indian Civil Service, and they were all successful. They were poor people who had done very well in India. Their careers were good. They were sent out, and all proved successful.

35306. They all got into the Indian Civil Service?—Yes. The arrangement was this. They were given this money on condition that if they were successful they were to repay the amount by instalments spread over a number of years. The Association also insured their lives in order to guard against casualties and they paid, of course, the premiums.

35307. Over how many years did the studies of those six men extend?—About eight years, I should think.

35308. You know of six men during the last eight years who received scholarships, and who were successful in getting into the Indian Civil Service?—Yes.

35309. Can you tell us how many failures there were during the same period?—I can remember only two instances. One was a Tata scholar from Bengal, and the other was a Parsee from Bombay.

35310. So that we may take it that altogether you know of eight Indian students who have received eight scholarships during the course of eight or nine years who have gone in for the Indian Civil Service examination, and six of whom have been successful?—Yes; and of those, four were successful within the first two years. They competed in their second year after their arrival in England, and they were successful.

35311. Your scheme of scholarships is based upon the assumption that the age-limit of the examination will remain as it is at present?—Yes.

35312. We have had a considerable amount of evidence which suggests that the age-limit ought to be reduced, and that we ought to endeavour to recruit our men at the age of 17 to 19. Supposing a recommendation of that kind were made, what would you suggest should be done in the way of giving scholarships to Indians? Would you be disposed to support a scheme of giving scholarships to Indians at a schoolboy age?—No, and for two reasons. One is the question of expense. It would be much more expensive, because you would have to give scholarships which would be tenable for seven years probably, and I do not think the general tax-payer should be saddled with such a large expenditure. My proposal is open to the objection that you are saddling the general tax-payer with the expense of the education of men who are pursuing a special career. The second objection is that at that stage it is very difficult to pick out promising men. I would not pick them out at the stage of the First Arts examination. The B. A. is the best test. If a student has done well in the Matriculation and in the B.A. you may be almost certain that he is likely to succeed in the competition.

35313. I must assume that your scheme of scholarships would only be possible in the event of the present age-limits of the examination being retained?—Yes.

35314. With regard to your answer to question (88), dealing with the separation of Judicial and Executive functions, you say:—"I would deprecate any further differentiation of functions which would lessen the powers and prestige of the District Magistrate and thus handicap him in the preservation of the peace of the district in cases of emergency." Could you tell me as a layman exactly what the power and authority is which you derive from exercising magisterial functions?—The most important cases are those dealing with *badmashes*, people who are prosecuted under the bad livelihood sections of the Criminal Procedure Code. The Deputy Commissioner is invariably consulted with regard to such cases by the District Superintendent of Police, and his functions as District Magistrate are very important in that connection. He is a Magistrate, and he is also the head of the Police, and that has a sobering effect upon him in sanctioning prosecutions.

35315. The particular function to which you are referring now, is, I suppose, the power of a Magistrate to bind over a man to keep the peace?—To keep the peace, or to be of good behaviour.

35316. That is the particular function to which you are referring?—Yes.

35317. Apart from that, is there any other particular function?—There are certain emergencies in which you can call upon a person, or a number of persons, to keep the peace. In the event or likelihood of a riot you can always act promptly. Whereas if you take away these functions from the District Magistrate, probably it would lead to delay, and very serious consequences might ensue. You might, probably, have to consult the District Magistrate, and the people concerned would not probably listen to the Deputy Commissioner to the extent that they do now. They know that he can hold his power *in terrorem* over their heads, and that has a very sobering effect, I think.

35318. With regard to the training of junior Civilians when they first come out to this country you are satisfied with the present system?—Yes.

35319. Could you tell us what your training was when you first came out as a recruit to the Service?—My training was peculiar. I came out in 1899, at the time of the big famine. The Deputy Commissioner sent me out into camp, and I was put in charge of famine works. I was thrown upon my own resources. It was an exceptional time, and I was utilised in that connection. I had to pick up my knowledge as I went along. The average Civilian when he comes out is sent to a district where the District Officer is a capable

person, and he trains him. I do not think they are sent at random to any district. The districts are selected with reference to their requirements.

35320. One objection which has been raised to the present system by certain witnesses is that the young Civilian does not, under this system, acquire a sufficient proficiency in the vernacular to enable him to mix freely with the educated classes in this country. Is that so?—The best way to enable him to learn the vernacular is to throw him among the people, and make him learn it. The present system is good for that purpose. The young Civilian comes to a district for six months. He comes into contact with the people, and he learns very quickly.

35321. The young recruit is only thrown among the village population, and surely the vocabulary of the ordinary villager is a comparatively small one?—Yes.

35322. And, I suppose, the sort of language he learns in that way is not sufficient to enable him to carry on a conversation on abstract subjects with an educated Indian?—He is not required to carry on a conversation on abstract subjects. When he first comes out his responsibilities are only such as would necessitate him carrying on a conversation on subjects which are of interest to the villagers, matters in connection with crops, sanitation, and such things. When he comes out I think he has sufficient ground work to go upon, and he picks up the rest very quickly.

35323. From what you have said I may take it that you do not attach very much importance to this charge which is rather frequently brought against members of the Indian Civil Service to-day, that they do not mix sufficiently with the educated classes of the country, and that even if they did, they would not be capable of conversing fluently with them?—My impression is that in these Provinces almost every Civilian I know has a working knowledge of the vernacular. There are, probably, one or two possible exceptions; but otherwise I think they all have a working knowledge of the vernacular. The Central Provinces Revenue system is different from that of Bengal, and we are obliged to come into contact with the people for many reasons, and that is a stimulus to learning the language.

35324. (*Sir Theodore Morison.*) It has been submitted to us that it would be a good thing if the Judicial Branch were recruited from two sources only, namely, from the Bar and the Provincial Civil Service. I gather that you do not support that?—No.

35325. Will you tell me why you do not support that? You have given some reasons. You say, for instance, that the Civilian Judge compares favourably with his barrister confrère?—I do not agree with the view that Civilian Judges are deficient in legal knowledge. I think every Civilian Judge has enough legal equipment to do his work efficiently. My chief reason for objecting to manning the Bench principally from the Bar is that a Judge cannot shake off certain habits which he contracts as a barrister. I think those habits are conducive to delay as they attach undue weight to legal technicalities. Since I wrote my answers I have come across two articles which appeared in the *Pioneer* and the *Times of India* and with your permission I would invite your attention to them. The article which appeared in the *Pioneer* is dated the 18th February, and my view has been very well developed in that article. The writer says: "It is exceedingly rare to find the Bench recruited from the Bar except in Great Britain." He points out that the reason why the Bench and the Bar are practically amalgamated in England is due to constitutional grounds. This system is peculiar to England, and there is no reason why such a practice should be transplanted into India where the conditions are different. We are trying here to copy England. That is the only ground for demanding recruitment from the Bar.

35326. You would have to show that the system which does exist in England will not succeed here?—It does not necessarily follow.

35327. Why does it not necessarily follow?—Because the masses here are entirely ignorant and illiterate; and their cases are not put up so well in India as they are in England. You have solicitors who work up the cases. Here the average cultivator, the ryot, goes to the lawyer, and the case is not put up so well as it might be in England. There is a great difficulty in disentangling the relevant from the irrelevant points involved in a case. This point has been very well brought out by the writer I have referred to. He points out: "Knowledge of the law is not the only qualification required of a Judge." I think the Indian Civilian Judge has exceptional qualifications for those functions.

35328. You think he has qualifications which are stronger than those of the Indian Pleader, for instance, who has practised in a District Court?—Yes, I think so. I am speaking of the average person, not of the eminent lawyers and Judges who have been recruited from the Bar. I do not for a moment wish to reflect upon them, but, as a rule, I think the Civilian Judge grasps facts better if he is thrown among people in his early career.

35329. From answers which you have given to the Chairman and to Lord Ronaldshay I gather that you think the Civilian does get a fair knowledge of the language and of the people?—Yes, I think so.

35330. In answer to a question put to you by the Chairman I think you said that the routine work of the Civilian can be got through in about six hours of the day?—I was speaking of a comparatively light district.

35331. When he has finished his routine work has he discharged all his duties?—No. There are many other things which concern him, such as Municipal affairs, Local Board affairs, and District Council's affairs, and the special problems which are to be found in almost every district.

35332. You did not include them?—No.

35333. So that he has six hours' routine work, *plus* the other things?—Yes. In an average District the people come to see him twice a week, and he has to see them.

35334. That you do not include in his routine work?—No. It varies according to the personal element.

35335. So that you do not mean to imply that he can devote the rest of the eighteen hours of the

day to amusing himself?—No, not for a moment. I am speaking of a small District.

35336. Have you seen the proposals which have been laid before us by the Association of the Commission of this Province?—Yes.

35337. Do you support them?—Not entirely.

35338. Could you tell us, briefly, where you differ from them?—I differ with regard to the time-scale of pay, which I think should be limited to Assistant Commissioners, to the lower grades of the Service. I would restrict it to Assistant Commissioners.

35339. Would you give us the limits. Should an Assistant Commissioner come on at Rs. 400?—I agree with the enclosure to that Memorial.

35340. You think he should start at Rs. 450?—Yes.

35341. And rise up to what?—In the second year he ought to get about Rs. 550.

35342. And subject to passing the examination?—Yes.

35343. And after that he rises by Rs. 50 a month?—Yes. I should say that up to the tenth year of his service his pay should be on the time-scale. I am assuming that the block in the promotion would be removed by the time these proposals come into effect.

35344. And after that?—After that there would be grades for Deputy Commissioners.

35345. As a matter of fact, is there very much selection in the present grade system?—I do not think so. I think promotion is, as a matter of course, by seniority among the Deputy Commissioners.

35346. What advantages has it got over the time-scale?—I do not think there is any advantage at all. The time-scale would remove a lot of drawbacks which exist at present.

35347. But I understood you to say that you wanted a time-scale up to the tenth year of service, and that after that you would revert to the grade system?—Yes; because I think the pay of a Deputy Commissioner, that is the third-class Deputy Commissioner, of Rs. 1,500 should be adequate, provided he draws that pay after ten or eleven years' service. That is not the case now.

35348. Would you leave it after that to the chances of seniority?—Tempered with selection, of course, as laid down in the Government of India's Orders.

35349. You do not advocate any change in the system which would make selection rather more prominent than it is at present?—I am in favour of selection.

35350. (*Mr. Madge.*) You are a Deputy Commissioner of how many years' standing?—I have acted as Deputy Commissioner off and on for three years. I am not a *pukka* Deputy Commissioner. I am an Assistant Commissioner of the second class, and I have completed thirteen years' service.

35351. You think your executive experience in this way has given you a valuable knowledge of the people which has helped you in the opinion you have given further on about the separation of the Judicial from the Executive?—Yes, certainly.

35352. In answer to question (1) you refer to the certificate required from two respectable persons to whom reference may be made as to character after the competitive examination has been passed. You think this should be made a condition precedent to admission. There may be no real contradiction, but how do you secure this certificate which you get—after examination, or before it?—I mean that every candidate for the Indian Civil Service should produce a certificate from his tutor. Almost every candidate is a graduate or undergraduate, and he should produce a certificate from his College tutor.

35353. How would you manage in those cases, however few they may be, in which a man goes from a private school and passes without a tutor?—I should require a certificate from the headmaster of the school.

35354. You have spoken about "the sudden contact with alien, social and moral conditions at an impressionable period of life." Is there any corresponding phenomenon in the case of Indians going to England?—There is.

35355. Your experience has been rather happy with regard to the men whose careers you have watched. We have heard in a large number of cases that the result is just of the opposite kind, not only for the Indian Civil Service, but generally for Indian students; so far as the conditions prevailing in large European cities are concerned the result has often been unhappy?—I am speaking of selected Indians after graduating in India, men who have some grit and stability of character, and who are sent generally to one of the Universities.

35356. You think that traces of character are sufficiently discernible at that early period to guarantee all that is wanted later on in life?—Surely at the age of twenty you ought to be able to foretell to a great extent how a man is going to turn out. There are exceptions, I quite agree; but generally speaking you ought to be able to guarantee it.

35357. He might afford some guarantee in his natural conditions, but if he is transplanted to conditions of a different kind the risks are very much greater?—My experience is quite different. Indians generally stay in England for about three years, and I saw at least three generations of Indians. My opinion is based upon my personal experience.

35358. As regards the scholarships which you propose to give, those scholarships might be quite justifiable if the majority of cases turned out as they ought to, but there is a risk that there may be failures?—I said about 75 per cent. will probably be successful, not all of them.

35359. You have ground for thinking that a large percentage would be successful?—Yes.

35360. In answer to question (7) you say: "The destruction of the predominance of the British element in consequence of the over-recruitment of Indians would probably impede the industrial progress of India by frightening away European capital which is essential to the development of the country for a long time to come." Do you think that any change in the tone of the Administration would result seriously, to the Government on the one hand, and, on the other hand, to the country at large?—The tone would be influenced by the *personnel*; but if you unduly

reduce the European element I think it would affect the spirit of the administration, and cease to attract capital to the same extent as it does now.

35361. Do you think that this investment of European capital has largely promoted the prosperity of the country?—Yes, certainly.

35362. And has improved the circumstances and the happiness of the masses generally, and provided labour, and sanitation, and all that kind of thing?—Yes, I certainly think so.

35363. With reference to the recruiting from the Bar, although you reduce it to very narrow proportions, yet there is some recruitment, and in every case you could not guarantee the best members of the Bar joining. How would you compensate for the want of that experience which you think so valuable which is gained by Civilians in their Executive duties?—I think that objection is met by the restriction laid down in the Civil Service Act. If I remember aright it is laid down that any person selected should have resided in India at least for seven years. It presupposes a certain amount of legal knowledge and experience, and I have said that such recruitment should be subject to the conditions which are laid down in the Civil Service Act.

35364. It has been suggested to us that the better class of barristers have better prospects in their profession than joining the Service?—I do not mean to say that we should be able to get the pick of the Bar. I think a moderate man ought to make a good Judge. We have had instances of men who were moderately successful accepting appointments in the Judicial Branch.

35365. Large enough to satisfy your expectations?—I think so.

35366. In answer to question (88) you refer to the proposed period of bifurcation. Supposing it did take place throughout the country, at what period would you have it in a Civilian's career?—I should say in the fifth year of service.

35367. You have said: "I have never heard any complaint on this score from the people, and enquiries made by me of experienced members of the Provincial Civil Service confirm me in the opinion that the agitation against the continuance of the present system is not by any means a reflection of popular feeling." You have no hesitation in saying that that is the general opinion of the country?—I am not prepared to say that it is the general opinion of the country. I am speaking with reference to my experience in these Provinces.

35368. And not only of any particular class, but the great body of the people here?—Yes.

35369. (*Mr. Fisher.*) Would you propose to distribute your scholarships evenly between the different Indian Universities?—That is what I have said in my answer. I think I would certainly do that. It would avoid any heart-burnings.

35370. You would entrust the duty of recommendation, as I gather, not to the Senate, but to the Syndicate?—To the University authorities, which would include both the Senate and Syndicate. The proposals would finally be passed by the Senate.

35371. You think that their decision would be generally regarded as satisfactory and impartial?—Yes, I think so.

35372. Reverting to a line of enquiry which was opened by Lord Ronaldshay, assuming that it was desirable, in order to recruit the best English candidates, to fix the age of the competitive examination at 19, the school-leaving age, it would be necessary to compensate the Indians for that change, which, in itself, would be unfavourable?—Yes.

35373. I should like to have your advice as to the best method of doing this. There are, I suppose, three methods which might be tried, either separately, or in combination. First, the method of separate examination in India for a certain number of appointments, the candidates chosen at that examination to pass through a period of probation in England at a University; secondly, there is promotion from the Bar; and, thirdly, there is an extension of the listed posts system?—Yes.

35374. May I ask your opinion as to the first of these possibilities? What do you conceive would be the objection to a separate examination in England for a limited number of posts in the Indian Civil Service, either a national examination, or an examination held in the different Provinces?—A national examination would be the least objectionable. Even then, the men who would be recruited by this means would labour under the stigma of being intellectually inferior to their English confrères, because they would probably not have had the same intellectual attainments as the English candidates; and I think that should be avoided at all costs. That would lead to a distinction between the two branches of the Service.

35375. You do not think that stigma would be effaced if, after their election, they passed a brilliant University career in England?—You cannot always ensure that. What would you do with the failures?

35376. It might be conceivable that a certain number of Indians elected in India might, during the probationary course, defeat the English candidate who had been elected in India?—Yes, it is quite possible.

35377. In that case, would the stigma remain?—Not in that case; certainly not.

35378. That would happen, on the law of averages, in a certain number of cases?—Yes, probably. Given careful selection, probably that would happen in a certain number of cases.

35379. Supposing that device were resorted to, would you suggest that the University authorities should nominate a certain number of students to compete in this national examination in order to obviate the evil to which you have alluded, of a great number of candidates, and a great number of disappointments?—Your proposal assumes that you would select them at a fairly early age. At that time the University authorities would not be in a position to exercise their discretion as they would at a later stage, because they have very few data to go upon. You would probably select a boy when he has passed the Matriculation examination. I have known of an instance in which an

Indian got his First-Class in the Matriculation examination, and did not succeed in the Indian Civil, although he had spent about ten years in England. Such cases are possible. He was a boy who had passed his entrance in the First Division here. He was sent to England, and he remained there for seven or eight years at a public school. He then went to Cambridge, but he did not succeed at the competition. Yes, there are several such cases.

35380. That risk of failure would attach equally to Indian and English candidates under the proposed system?—Yes.

35381. The Englishman might go off intellectually during the period of probation? —Yes.

35382. It is a risk which would have to be taken?—Yes.

35383. But the risk would not be greater, would it, in the case of the Indian than in the case of the Englishman?—I cannot hazard an opinion.

35384. Do you think, from an educational point of view, that there is anything to be said against such a separate examination in India at the age, let us say, of eighteen or nineteen?—Do you imply that you would close the open competition: or would that be supplementary?

35385. It has been suggested to us by advocates of simultaneous examination that it would be a great advantage for Indian education that as many people as possible should go in for the English competitive examination, for the examination which has been specially framed in order to bring the best Englishmen out to India. On the other hand, it has been objected that an examination specially framed for Englishmen is not likely to suit Indians, and that it would be preferable to have an examination developed in India, adjusted to the existing curriculum of the Indian Universities, and capable of being checked according to the best expert opinion in India. On that view a separate examination would be preferable, educationally, to a simultaneous examination. Would you agree?—I would prefer it to the simultaneous examination under those conditions.

35386. But you would safeguard a separate examination, first of all, by a preliminary nomination by University authorities; and, secondly, by a subsequent period of probation at an approved University in England?—Yes, certainly.

35387. And you would also hold that there was, at any rate, a chance that the stigma which is popularly supposed to attach to separate examination would be effaced by the University record of the Indian students so selected?—I certainly think so.

35388. (*Mr. Sly.*) You have told us that you have served for thirteen years in the Central Provinces?—Yes.

35389. Has any period of that service been in the Judicial Branch?—No.

35390. It has been wholly Executive?—Yes, wholly Executive.

35391. Can you tell us whether your relations with your European colleagues in the Service have been harmonious; or have you experienced any difficulties on account of your race?—My relations have been most harmonious throughout my career.

35392. In reply to Sir Theodore Morison, you have stated that as Deputy Commissioner you had about six hours' routine work a day. Do you mean actual work of a routine nature, or do you mean that six hours were employed in Court and office work?—Yes, including Court work, and office work, and at headquarters: but not in camp. There is a lot of extra work in camp.

35393. You have recommended an increase in the listed posts. Can you tell us whether the existing system under which a very limited number of listed posts is available is really popular in the Provincial Service or not? Does it make for contentment or does it make for discontentment in the Provincial Civil Service? Is the fact that a very few selected officers in the Provincial Civil Service are able to rise to the listed posts an attraction to the Provincial Civil Service; or does it cause a certain amount of discontent and disappointment amongst the mass of Provincial Civil Service men?—As far as I can judge, I think it causes a certain amount of dissatisfaction, but not dissatisfaction which I would describe as acute. The ambitious members of the Service think that a larger number of posts should be open to them; those who think that the number is not sufficient.

35394. On the whole, do you consider that it is a good thing for the Provincial Service, or a bad thing for the Provincial Service, that it should have a small number of listed posts?—I have indicated in my written answers, and I still think, that the training of the members of the Provincial Civil Service is not conducive to their success as District officers; and, for that reason, I have suggested that we should recruit, as far as possible, from England by competition. It is not the fault of the *personnel*, but of the system. They are accustomed to taking orders from higher officers, and there is a lack of initiative generally. I have known some of them who have done well as District officers, but they do better as Judges.

35395. Under such conditions, what do you think is the most suitable age at which selection should be made from the Provincial Civil Service to these listed posts? Do you recommend that it should be a prize to be gained by the Provincial Civil Service officer towards the end of his service; or do you recommend that it should be an officer chosen on account of exceptional merit and ability at a fairly early stage of his service?—My own inclination is that they should be selected at an early stage of Service; but it is open to this objection, that it would have a depressing effect upon the bulk of the members of the Service, and that is to be avoided.

35396. Having balanced the advantages, and disadvantages, what course would you recommend?—As I have said, I would leave things more or less as they are, except that, probably, in certain Provinces you might raise the percentage to a certain extent, even under present conditions; but I would rely, chiefly, on open competition in England for recruitment.

35397. You have given an opinion in favour of the maintenance of one year's probation in

England for successful candidates in the open competition?—Yes.

35398. Did you yourself go through one or two years' probation?—One year.

35399. We have had a certain amount of evidence to the effect that owing to the shortness of the period of one year it is impossible to gain anything but a smattering of knowledge in a few subjects; and that practically one year's probation in England is a waste of time because it brings the officer out older than is desirable; and that very little real knowledge is gained. What is your opinion upon that point?—Which knowledge are you referring to, a knowledge of law, of vernaculars, Indian languages, or history,—there are so many subjects?

35400. The present probationary course of one year includes a certain instruction in Indian Law, and in Indian vernaculars: it has been stated that the instruction which can be given in a portion of the year's probation is so elementary that it is a waste of time, and that it is much more important to bring out the young Civilian to India a year younger?—I am opposed to that view. I am in favour of the present system.

35401. You believe that the one year's probation in England is a distinct advantage to a successful candidate in his future career in India?—Yes, I certainly think so.

35402. Now with regard to your proposals for the improvement of the Provincial Civil Service. In answer to question (10) you have recommended a small alteration in the grading. I think it is possible that there may be a misprint?—Yes. I said I would abolish the grade of Rs. 200. It has been printed as Rs. 300. It ought to be Rs. 200.

35403. Your proposal is that a probationer should start on an initial salary of Rs. 150; that if he passes his Departmental examinations he should be promoted as a probationer to Rs. 200; and that when he gets his first permanent appointment it should be one to a grade of Rs. 300?—Yes.

35404. Do you consider that this will be adequate, or do you wish to have a further improvement in the grade and pay of the higher appointment?—I have suggested that the highest grades should carry pay of Rs. 1,000, as in Bengal. I think that would satisfy the aspirations of the members of the Provincial Civil Service to a very large extent.

35405. With regard to the Provincial Civil Service, you have expressed an opinion that the grading system is preferable to a time-scale; but in regard to the Indian Civil Service you have expressed the contrary opinion, that a time-scale for Assistant Commissioners is preferable to grades?—Yes.

35406. Why do you hold this diversity of view with regard to the two Services?—I am sorry I cannot answer it just now.

35407. Do you know any particular reason why a time-scale should not be granted to the Provincial Civil Service?—Because the work of a member of the Civil Service is more in evidence, is more in the limelight, so to speak. The Civil Servant works more under the gaze of the public than a Provincial Civil Service man does. There are many means of finding out whether he is a capable person or not; but the same check does not exist so far as the Provincial Civil Service man is concerned. There should be stimulus to efficiency.

35408. But that objection also is, in one way, an argument in favour of a time-scale, is it not? Where there is very little selection, as you stated, the Provincial Civil Servant does not come under direct notice. Under those conditions the time-scale is even a more suitable method of regulating their promotion than the grading scale, is it not?—My proposal must be taken in conjunction with the other proposals. I have said that a member of the Civil Service is liable to be weeded out in the first five years of his service if he proves to be undesirable from any point of view. There is a check there. Those who remain would be, presumably, competent men; and they are entitled, I think, to an increase in their pay according to time-scale up to a certain limit.

35409. Would you not have some check in weeding out with regard to the Provincial Civil Service?—As a matter of fact, two years' probation is tantamount to weeding out, to a certain extent; but we deal only with those who are absolutely incapable.

35410. With regard to pension in the Provincial Civil Service, you have recommended a pension of Rs. 600 a month or Rs. 7,200 a year, which is a very substantial improvement on the present pension of Rs. 5,000 a year?—Yes.

35411. Do you think it would be reasonable to give a pension of Rs. 7,200 a year to Provincial Civil Service officers, when the pension of all the other Services in India, except for a few specified posts, is limited to Rs. 5,000?—Of course that is subject to the condition that they should have held charge of a district for a period of five years.

35412. The present condition with regard to other Services is that if they have held a certain specified post for a number of years they should get a pension of Rs. 6,000. Do you think that the necessities of the Provincial Service would be adequately met by putting them on the same plane as Superintendent Engineers, Conservators of Forests, and other people whose pension is fixed at Rs. 6,000?—I was not aware of that rule when I wrote this.

35413. In answer to question (62) you have alluded to a marked increase in the number of Europeans permanently or temporarily resident in India. Does that apply to the Districts of the Central Provinces?—Not to the same extent.

35414. As a matter of fact, has there been in the Central Provinces a marked increase in the number of Europeans living in the districts?—I am referring to people who come for three or four months in the year to do some shooting, or to see the country, that class of people; or even people who have come to stay with their friends for a reasonable time?—There has been, I think, an increase in the number of that class of people.

35415. Is it not a fact that in the Central Provinces, at least, there has been a substantial reduction in the number of Europeans owing to the abolition of many cantonments, and the removal of a substantial proportion of the

Military forces which used to be employed in the Central Provinces?—Yes.

35416. Do you think that the number of Europeans in other Services, such as the Medical, Forests, and other important Services, employed in the districts in the Central Provinces in such capacities, has increased or decreased? Is it not the case that there is a substantially larger number of Indians now employed in such posts as Civil Surgeons, Forest Officers, and others, than used to be the case?—Yes. But against this you must set off the fact that a number of new posts have been created in Agriculture and other Departments, which have caused a large increase in the number of European officers.

35417. Is it not also the case that these posts have all been allotted to one or two large towns, and not generally to the districts?—My answer was a general one. I referred to India as a whole.

35418. (*Mr. Macdonald.*) I should like to have a little more information upon this point which Mr. Sly has referred to in your answer to question (62) where you say that the Suez Canal has had a good and a bad effect, and you suggest that the bad has rather predominated over the good; and then you come to the conclusion, "the fact is that India is no longer the adopted home of the European officer; it is but a land of exile." As I understand, you come to that conclusion, not from your own experience in the Central Provinces, but from an idea which you have of the whole of India?—Yes.

35419. Have you had enough experience of the relations between European officers and Indians outside to enable you to come to this conclusion?—There is no doubt that in the old days officers had greater opportunities of knowing the people than they have now. People did not take leave so frequently as they do now, and they were thrown a great deal more among Indians than they are now, because of the lack of facilities for mixing among their own people. Improvement of communications is another important factor.

35420. With regard to what you have said in connection with furlough, in so far as this conclusion is accurate and can be substantiated by facts, do you think it affects the conditions of furlough and privilege leave?—I think people take more leave to Europe than in the old days: probably not more in the aggregate, but more frequently than they did.

35421. You think that they may not take the same amount of leave, but that they go oftener?—Yes.

35422. Do you think that that is bad for India?—I do not think it is bad for India; but it explains, to a certain extent, the imperfect acquaintance with the languages of India.

35423. The effect of it is to establish a sort of England in India, which does not assimilate itself so much with India as the England in India did, say, a couple of generations ago. That is what you mean to put before us?—Yes.

35424. And if we could help to make the assimilation a little more complete than it is now, we will be doing a good service both to the Service itself and to the people of India?—I was only concerned with that particular question. I think it varies according to the Province. In a Province like this, where you are thrown amongst people a good deal, there is more touch with the people than in Bengal.

35425. With regard to the men who are coming out, the new recruits, do you come into personal contact with many of them?—No. I have taken a lot of leave of late years.

35426. In so far as you answer the first question and pass judgment upon the effects of simultaneous examination, it is not because you can put your finger upon this man and that man and the other man and say that that experience of yours has justified the conclusions to which you have come?—I argued like this. I have come across a large number of Civilians, and those who have not come up to my standard of efficiency have been the exception, and not the rule.

35427. It is a small percentage?—Yes, it is a small percentage.

35428. And you do not venture to hope that any system of nomination and selection by examination or otherwise, which either you or we can construct, is going to relieve the Service of some small percentage of more or less objectionable persons?—No.

35429. They will crop in, whatever system we adopt?—Yes.

35430. Have you thought of it in this way? You take your crowd of inexperienced young men who come out here year after year. Some show roughness and lack of experience. If you were to select them at that moment you would be rather doubtful as to whether you would pass them; but when you meet those men five or ten years afterwards, after having been licked into shape, do you find, then, that you would have the least doubt whatever in passing them?—That is so.

35431. As a matter of fact the only real test which can be imposed upon a man in the Indian Civil Service is how he is doing his work in the Indian Civil Service?—I must say this, that I also think his relations with the people, and his private life, to a certain extent, also, should be taken into consideration, because the Service is one which commands a great deal of prestige, and I think men should live up to the traditions of the Service.

35432. Take John Smith, a typical Englishman. How do you know that John Smith is going to live up to the traditions of the Service until he has got a chance?—You cannot say at the beginning.

35433. The traditions of the Service in India are not the traditions you get in England. It is the English traditions. Adopt the Indian conditions, and it will give a man a chance of showing his capacity to adapt himself. You cannot condemn him, and you cannot praise him. Therefore no method of selection is fundamentally wrong because it does not touch in the least the problem which has got to be solved by us. Do you agree with that reasoning? How am I going to get out of the difficulty I am in?—That is substantially the view I have put forward. I have said that the present system is successful on the whole, and the few failures should be eliminated during the first few years of service.

35434. Do you agree with what I have said?—I agree with you.

35435. In answer to question (7) you refer to simultaneous examinations, and you give a variety of reasons for them?—Yes.

35436. May I ask you, quite fundamentally, have you followed the proceedings of the Moslem League recently?—Yes.

35437. What is the view of the Moslem League with regard to simultaneous examination?—They have not formed a definite opinion upon it.

35438. Have you been following the decisions of the sections of the League?—Not to any great extent.

35439. Do you know if any important sections have passed resolutions in favour of simultaneous examinations?—I am not aware of any.

35440. Have you been following the evidence which has been placed before us in other Provinces?—I followed the evidence of His Highness the Aga Khan with great interest.

35441. And have you followed the evidence of any other Muhammadan leaders in the Provinces?—Yes.

35442. Have you formed an estimate of the balance of the evidence in that respect?—On one point I should like to make myself quite clear. My view is that if you were to ascertain the views of the educated classes in India the probability is that you would find the majority of the people in favour of simultaneous examination; but I have to look at the question from the point of view of India as a whole, from the point of view of efficiency, expense, and everything; and my views are based upon that assumption.

35443. You would not ask us to assume that those who have given us evidence in favour of simultaneous examination have never thought of efficiency, and have never thought of expense?—They have, of course.

35444. It comes to a matter of judgment?—That is so.

35445. One of the reasons you have given against simultaneous examination has been given by previous witnesses. You have known of cases where applications were made for transfers of the legal causes?—Yes.

35446. Have you any experience of the home judicial procedure?—Yes, a slight experience.

35447. Is it an unheard-of, or unknown, thing for applications to be made at home for the transference of venue?—I do not know that I have heard of any. I have heard of complaints of inadequate sentences.

35448. Will you answer my question, please? Have you never heard of applications made to the High Court at home for the transference of cases from certain districts to London?—I cannot recall such a case.

35449. In answer to question (7) you say, speaking of simultaneous examination: "The result would be that they would swell the already large multitude of discontented men who are annually manufactured by the Indian Universities. The discontent of the 'failed I. C. S.' will be in proportion to the money and time spent on preparation for a notoriously difficult examination." How far are you going to carry it? Will you carry it to the length of closing all the Universities as manufacturers of discontent?—No; but I think in this case the discontent would be greater because they will study the specialised group of subjects over a number of years, and the expense will be proportionately heavy.

35450. Have not the subjects been specially selected and the papers specially drawn up to suit the convenience of the Oxford University?—I must say from my personal experience that more Oxford men get into the Indian Civil Service than Cambridge men, but I do not know whether it is due to any unconscious attempt to favour the Oxford candidate. I do not think so.

35451. Did you follow the published reasons why an enquiry is now being held into the Home Civil Service, one of the reasons being that Oxford had taken good care to select the subjects for entrance so that it had a special advantage not only with regard to the Indian Civil Service Examination but other Civil Service Examinations which were open to competition? Have you heard that alleged?—No, I have not.

35452. Supposing I am right, and that the Indian Civil Service Examination is based upon the very best educational policy that Oxford experts have been able to devise, so as to produce the British tone and the British character and the British basis, and supposing I am also right that it is dangerous for Indian Universities to follow an Oxford line, do you think that your characterisation of the Indian Civil Service Examination is accurate?—My point is that you cannot produce the same morale by any artificial means. It is out of the question.

35453. Take this point of the educational test of the Indian Civil Service Examination. You said something about the subjects, (I am afraid I cannot reproduce your words), but you want your Universities in India to become more and more like Oxford and Cambridge: that is the line of development, not the accidental line of development, but the conscious line of development?—Yes.

35454. Let us see how far our logic carries us. We get an Indian Civil Service Examination which is devised pre-eminently as a sort of flower and fruit of an Oxford training? What is your objection to making it the flower and fruit of an Indian training?—Because, as I have said, I consider that prolonged contact with Western ideas is necessary.

35455. That is entering upon another point. I want it from the educational point of view alone?—From the educational point of view I have no objection, none at all.

35456. The Universities, you say, produce a large amount of discontent, and you do not want to have an Indian Civil Service Examination added to that discontent?—No.

35457. Is not the British method on these occasions to go right through with it, and settle discontent in other methods? If education is a good thing, and the Indian has not got proper advantages in sitting for examination, is it not the glorious characteristic of British courage and foresight and determination that it goes right through, and does justice though the heavens should fall: though you may be perfectly certain that if it

does not do justice the heavens will not fall?—As I have said, you cannot get over the difficulties involved in having simultaneous examination in India.

35458. Apropos of that, in reply to Mr. Fisher you said that you would protect yourself if you had a separate examination in India, by nomination, that those who would be entitled to sit for this examination should be nominated by college heads?—Yes.

35459. You did not use the expression "College"; I am putting that into your mouth. You said, University heads and tutors?—Yes.

35460. You would include the Colleges, would you not, the Colleges affiliated with the Universities? Take the Bombay University. You get three Colleges there, the Elphinstone, St. Xavier's and the Wilson College?—Yes.

35461. For the purpose of enabling students, —B. A.'s—who have passed the Bombay University, you would allow the Principals of those Colleges to nominate their men?—That is a question of detail which I would leave to the local Government; but, ordinarily, I should think that would be the way in which they would work.

35462. My difficulty is this. If you take the view you do of Indian education, your nomination by the Colleges is no guarantee at all; but, as a matter of fact, if your view is correct, you will have such a pressure brought to bear upon these men, whether professors, or teachers, or principals, which would make it absolutely impossible for them to deny any appreciable number of men the right to sit at the examination. Do you agree with that?—I would frame the rules so that I would nominate only a fixed number of boys.

35463. You cannot surely settle this matter, can you? I want really to get at the bottom of all this. You cannot settle this matter on mere absolute numerical statements. I can understand you settling the number of Indians in the Service, as you propose to do; but for the purpose of getting your reservoir from which you are going to draw your successful men, how can you settle that on a mathematical basis only?—It is not an ideal arrangement. It is a *pis-aller*; it is the next best thing.

35464. Have we not had far too many *pis-aller* which cannot settle anything?—Assuming my *pis-aller* is not accepted, I said that the proposal of Mr. Fisher was the next best.

35465. But you stick to nomination?—I stick to nomination by an agency which would be above reproach.

35466. The problem practically is this, that every boy who has passed his B.A. will come up and say, "I want to sit for the examination." I ask you how it is possible for that "it," whether Board or Local Government, to say in justice, except in a very few cases: "We will not allow you to do it"?—Such a system would involve a great amount of discontent.

35467. It would be one of these *pis-aller*. It would also give the Indian youth the impression that it did not matter what England did, it never did it satisfactorily?—Yes.

35468. Have you not come to the conclusion that if we are going to settle this thing in such a way as to establish confidence in our rule, we cannot possibly settle it in such a way that Indians will say as soon as we have settled it, "Now we will start anew agitation for something more, within the next year or so." All these *pis-aller* and all these half-hearted proposals are very wrong, are they not?

35469. (*Chairman.*) That is a leading question.

35470. (*Mr. Macdonald.*) I hope I have not been asking questions which are anything more than ordinary questions.

35471. (*Chairman.*) I think they have gone rather beyond ordinary questions.

35472. (*Mr. Macdonald.*) I am asking the witness if he disagrees with my argument. If the witness does disagree with me, I am perfectly certain he will say so. I have finished. (*To witness.*) You want to increase your number of listed posts?—Yes.

35473. From the point of view of efficiency, if you materially increase your listed posts, you must put men into the service who have not been trained in England, must you not?—Yes.

35474. The whole of your experience is subordinate experience as far as Administration is concerned?—Yes.

35475. From the point of view of efficiency, do you not think that that is a great mistake?—You must remember that you will pick out the very best men; and the Provincial Civil Service is so large that there is a possibility of selecting few men who would justify their appointments.

35476. My difficulty is this. Whilst agreeing generally with the principle of listed posts, I take the view that you must keep the listed posts just to a minimum, and that the strength of the Indian section in the cadre must be of a different type of men?—That is precisely my view.

35477. Do you take that view?—I have said I would aim at getting as many Indians in as possible by recruitment in England. I have said that clearly in my answer.

35478. But I understand you want a substantial increase in your listed posts?—Under present conditions it will take some time to get Indians recruited in England in large numbers. As a temporary expedient I have suggested that the number of listed posts should be enlarged—as a purely temporary expedient.

35479. My difficulty is that if you once increase, substantially, the number of listed posts, how are you going to reduce them?—Those who get in would remain in. You select men when they have put in 25 years' service, and they would retire in the ordinary course in five years. They would be gradually eliminated.

35480. They would be eliminated so far as the individual is concerned, but how about the Provincial Service itself?—There is scope for extending the system with regard to the Judicial branch of the Service. I think our men do quite as well as Judges, and there is no reason why it should not be made a permanent arrangement: appoint more men to the Judicial branch of the Service.

35481. But would not there be the difficulty that the Executive branch of the Provincial

Service would be sacrificed, or that it would not get the same number of prizes that the Judicial branch would get, and in that way you would create a new set of disturbances?—My opinion is that in a matter of this kind you would have to be guided primarily by the consideration that you are doing all this in the interests of efficiency and of the good government of the country. The greatest good of the greatest number is the primary principle; and I would subordinate all other principles to this policy.

35482. You see the difficulty?—Yes, I see the difficulty; but the agitation would be confined to a small section of the people, and I think it ought not to have undue weight.

35483. (*Mr. Chaubal.*) Am I right in supposing, whether it is the simultaneous examination or whether it is the proposal of a separate examination or whether it is your proposal of scholarships, these are only different methods for the purpose of satisfying the aspirations of certain educated classes in India for a larger employment in the higher services of the country and it is for this purpose that these different methods are suggested?—Yes.

35484. I suppose you are agreed from the answer you gave to Mr. Macdonald that any method which anybody suggests is expected to last for a sufficient length of time, and for some time to come, at least more than a generation, so that the Indian aspirations may during that period be satisfied, by what is proposed to be done now?—Yes.

35485. If that be so, I proceed to ask you a further question. In the first place, I should like to be clear in my own mind as to what you really meant when you said in answer to a question from Mr. Macdonald that your scheme of scholarships was likely to satisfy the moderate section of educated India, but not the section which wishes to run the administration on Indian lines. Do you mean by this latter class those who ask for the simultaneous examinations?—Not at all, no; certainly not. There are many who ask for the simultaneous examinations but who would be satisfied with my suggestion, if accepted.

35486. I understand that you are thinking of a section (as a matter of fact it is news to me at least, and I did not gather it from the evidence we have taken) of the Indian public, which desire to run the Indian Administration on Indian lines?—Yes.

35487. Is there any such section?—That section is, I think, very small.

35488. But is there any section which wishes to run the Indian Administration on Indian lines?—Yes; those whom we term extremists nowadays would belong to that section.

35489. Let us leave that section alone. You do not class them among those who are advocates of the simultaneous examinations?—Well, they naturally ask for it, because they cannot get anything better.

35490. The one class which wishes to run the Administration on Indian lines is not the same class that wants simultaneous examinations. Is that what you mean?—What I mean is that both the extremists as well as others ask for the simultaneous examinations.

35491. Do the extremists, whatever their number be, small or great, in advocating the simultaneous examinations put forward any such scheme as that calculated to run the Indian Administration on Indian lines?—I am not able to follow you.

35492. The idea which has been proposed to us is to have exactly the same examination as you have in London, identically the same syllabus, but only the place of examination being different, one examination being centred in India and one examination in England. I do not quite understand what you mean when you say that those who advocate the simultaneous examinations do it, or any portion of them do it, because they wish to run the Government on the Indian lines?—A very small section of that class of people want to run India on Indian lines.

35493. If it is to be the same subjects, the same examination and the same curriculum, then the administration must be run on English lines?—They ask for it, because they know that anything else is beyond the range of practical politics.

35494. Those that have suggested the simultaneous examinations in the sense I am speaking of—the same examination, the same examiners and the same subjects—cannot be charged with a desire to run the administration on Indian lines?—Certainly not.

35495. I should like to know for what length of time would your scheme of scholarships last—the scheme that you have proposed in your written answers?—It is very difficult to see far into the future, because India is undergoing rapid transformation; but I should say that if Indians were appointed to the higher offices to the extent of the 30 per cent. of the superior posts, for another fifty years, at least, there should be no agitation.

35496. How many superior posts are there in the whole country, including Burma and India?—That I could not tell you off-hand.

35497. It is 660?—May be so.

35498. According to the irreducible minimum which you have given us, how many posts are available for Indians, out of these 660, according to your standard of one-third?—I say that we should work up to one-third.

35499. You mean in one place one-third and in another place one-fourth?—No; I say that we commence with 20 per cent. and we work up to one-third.

35500. Whatever that percentage is, the scheme of scholarships must necessarily come to an end directly you come to your irreducible minimum?—No. I will probably continue it, if private assistance and private enterprise do not develop in that direction.

35501. That adds to my argument—the question of private resources and private efforts. Parents' means may enable them to send their sons to England whether they get scholarships or not, and added to that you put 12 scholarships, out of which according to your own calculations you expect nine to come off successful, and you will have nine every year *plus* those who pass out of those who proceed to England from their own means or supported by private funds?—I should say another six.

35502. With that number coming up every year will it take a long time to reach your limit?—We shall have fifteen, that is, six plus nine. The average number recruited every year is 60. That will be 20 per cent.

35503. With the addition of 15 every year, one-third of the limit for the employment of Indians that you are thinking of is likely to be reached not in the very distant future?—I should say it ought to be reached, but it will be difficult to say exactly when.

35504. Can you say in less than 15 years?—I cannot say that.

35505. That is the point of view from which I should like you to consider it. The proposed scheme of scholarships, if based on any limitation of proportion, must necessarily be a scheme lasting not for a very long time. That was what was passing in my mind. However, I will pass on to one question in respect of which your answer very nearly coincides with the answer that we had yesterday about these listed posts—the answer to question (37). May I ask you what is the pay which the men holding these listed posts, which are merged in the Provincial Service, draw?—It varies considerably.

35506. Whatever the variation be, from what to what does it rise. Am I right in supposing that it is not more than Rs. 500 or Rs. 600?—It is about that.

35507. Therefore, the merging of the listed posts into the Provincial Service has done nothing more than give a few more places on Rs. 500 and Rs. 600?—I cannot answer that question, because I have not looked into the figures carefully; but there is quite a large number of listed posts which have been merged into the Provincial Service.

35508. As a matter of fact, we had from other witnesses that about 30 years ago, there were only 40 appointments in the Provincial Service cadre as against 99 at present. But my point is that, before the listed posts were merged, the Provincial Service had places from Rs. 400 to Rs. 800. But the listing of these posts and merging of them into the Provincial Service has done nothing more than to add a few posts on Rs. 400 to Rs. 500 and Rs. 600 grades, which must be two-thirds of the pay which an Assistant Collector or an Assistant Magistrate in your Province draws?—The highest grade is Rs. 800.

35509. Let us take the Rs. 800 grade. It only gives a pay of Rs. 500 or Rs. 600. I know definitely in my own province we have from Rs. 300 to Rs. 800. The merging of the listed posts has done nothing more than to give in some provinces five places instead of two on Rs. 500 or five places more on a salary of Rs. 600 where there was originally only 3?—The number in this province is much larger. I relied on Mr. Moss-King's note. There are a number of men drawing a salary of Rs. 300 to Rs. 600.

35510. It does not make any difference. It may be a dozen posts. In Bombay 9 Assistant Collectorships were listed and the inferior listed posts were merged into the Provincial Service. That simply means that instead of three Deputy Collectors we have twelve. Then how do you say "the merging of the inferior listed posts in the Provincial Service has satisfied the national aspirations to a large extent"?—I should think so.

35511. I want to know whether any scheme by which you add 4, 5, 6 or 8 places to Rs. 500 and Rs. 600 grades in the Service is calculated to satisfy the national aspirations?—I was guided by a reference to the Civil List. I contrasted the state of affairs which existed 20 years ago with the state of affairs existing now. I find that the number of posts on salaries of Rs. 300 to Rs. 600 and Rs. 700 has increased immensely. The number of posts is very large indeed as compared with what existed 20 years ago.

35512. You consider that the national aspirations of Indians are confined to getting a few more places on Rs. 500 and Rs. 600?—I did not say so. I said "to a large extent."

35513. I will take you through your answer to question (88), about which you have been questioned by two members of the Commission. In the first place you have stated in answer to one of the questions that you have never served in the Judicial department?—No, I never served in the Judicial department.

35514. Therefore, when, in answer to a question from Mr. Madge, you said that Executive experience in early years was of great use to a Judge in subsequent years, you were speaking without your own experience?—In what way? I have tried some civil cases, though I was never in the Judicial department.

35515. The question was put from this point of view. It has been suggested to us in the evidence in the other Provinces, that for the work of the District and Sessions Judges, the experience which a District Collector gets in his earlier years in camp is, as some put it, a *sine qua non* or, as others put it, a necessity or, as a third section put it, of immense value. From that point of view the question was put to you and you said you found it of very considerable value?—Yes.

35516. If you have never done District and Sessions Judge's work, you could not have said that from your own experience. I quite admit that you must have said that from some other experience, but not personal experience?—I must say that, in my capacity as an Executive officer, I had access to the case work done by Sub-Judges, Munsifs and Sessions Judges. Men of my experience ought to be able to judge as to the best qualifications required of a Civil Judge. It is from that point of view, as well as from the point of view of my own knowledge of civil law, that I gave that answer.

35517. I did not for a single moment dispute your ability or right to judge. My simple question was that the answer you gave could not have been given from your own experience as a District and Sessions Judge?—That is quite true.

35518. Let us go to the other portions of that answer. I suppose you are prepared to admit that the educated portion of the public—call it infinitesimal or small—do sincerely feel that there should be a differentiation between the functions of criminal and revenue officers?—Yes.

35519. This class of people, who sincerely feel that there should be a differentiation between the functions of revenue and criminal officers,

certainly do not desire that a criminal should not be tried, but what they want is simply a change of officers and nothing else; it is not as if criminals are going to be let loose, but that they should be tried instead of by A, by B?—This statement is based on the assumption that the present system is defective in that it leads to injustice.

35520. You need not anticipate what is going to be my question. With reference to this class of public, who think that a differentiation could be had usefully, they desire it simply to the extent that instead of an officer of A class trying it, let an officer of the B class try it. I would ask you, do you consider that a proper administration of criminal justice requires any training, just as civil law requires some training in civil law?—It does not require more training than what is afforded by the present system.

35521. The question is whether a proper administration of criminal justice requires any training in criminal law or not?—Certainly, it does.

35522. Can you say that your tahsildars and magistrates have had any definite formal regular training in criminal law beyond what is given to them in these departmental examinations?—They have sufficient training to be able to judge those cases that come before them. I am speaking generally.

35523. You do not answer my question. Beyond the departmental examinations, have they any training in criminal law?—Criminal law is confined within the limits of the Indian Criminal Code, the Criminal Procedure Code and a few other Acts which can be mastered by any intelligent person in six months. They get that training. I am referring to the class of cases tried by tahsildars as third class magistrates, such as assault cases and rioting cases.

35524. Even if it be a matter of common assault, the principles of criminal law and Jurisprudence should be applied to it. Beyond the departmental examination, they get no other training in criminal law?—There are some officers who are exceptions; I mean those who have passed some legal examinations, some pleaders.

35525. I am not referring to them; but I am referring to the class of gentlemen from whom Mamlatdars or Tahsildars are recruited?—They have no such training

35526. The cry of that section of the public which wants a differentiation is—it is an honest cry—let a criminal be tried by an officer of the B class instead of an officer of A class; and it proceeds from persons who think that an officer of the B class has a certain amount of training which in their opinion qualifies him to try it which an officer of the A class had not got. So far we are agreed. In the instance that you quote in your answer that "a distinguished member of the Provincial Civil Service who has just retired told me lately that he could not recall a single instance in which the District Magistrate interfered with his judgment and discretion in the disposal of criminal work"; did that distinguished Civil Service officer intend thereby to take a compliment to himself or to give a compliment to the District Magistrate?—He did not mean either. But he simply stated facts.

35527. Will you read that sentence? The opinion therein contained amounts to saying that the decisions of the distinguished Provincial Civil Service officer were always right?—What he meant to say was that the District Magistrate did not issue improper orders, or did not transfer cases from his court, or did not issue instructions which were objected to.

35528. Will you kindly look at the wording of your sentence. "He could not recall a single instance in which a District Magistrate interfered with his judgment and discretion in the disposal of criminal work"?—I meant while the cases were pending in his court and not appeals.

35529. You are aware that a District Magistrate has the authority to call for records and to transfer a case from one court to another, but certainly not in pending cases?—Certainly in pending cases.

35530. In pending cases?—Yes. The Procedure Code provides for it. That is a procedure constantly adopted.

35531. This is information to me. I should like to know whether there are cases in which the records of the pending cases are called for by the District Magistrates frequently?—More or less so.

35532. I did not know that and I am glad to learn this: that while the cases are pending and the Magistrate is trying accused persons, the District Magistrate sends for the records of the case before it is ended?—Yes, certainly. That is provided in the Procedure Code, and it serves a very useful purpose.

35533. Then that cry of a section of the community is perfectly justified?

35534. (*Chairman.*) We are not here to give opinions but to elicit them.

35535. (*Witness.*) I must amplify my answer. Suppose the District Magistrate goes to the jail and finds that there is an under-trial prisoner who has been there for six or seven weeks. He naturally wants to find out why the man has been there so long. Again, when petitions are sent, he sends for the records of cases to find out what causes there were for adjournments. This is a thing that is provided for in the Procedure Code; and it leads to justice rather than injustice. There are many other instances in which that is done.

35536. (*Mr. Chaubal.*) I want to know whether it is frequent that the District Magistrate does send for pending cases?—It varies according to circumstances.

35537. You say in your answer, "I am doubtful as to whether the insistent demand for the separation of Executive and Judicial functions on the part of the educated classes, who form a microscopic minority of the population, would be endorsed by the masses in the event of a *plebiscite* being taken." I suppose you agree with me and others in thinking that this is not a question which concerns anybody except the members of the public who have the misfortune .....?—Do you not include the masses in that important section of the public?

35538. That a person should be tried by an officer of the B class instead of an officer of the A class is not a question with which the masses

the law-abiding people, are likely to be concerned?—I beg to differ from that view. They might be the people who might be the victims of injustice, according to the stock argument against the present system. They are the people who must be consulted.

35539. The question as to which class of officers ought to try criminal cases ordinarily is not one in which the masses of the public, particularly the Indian masses, are likely to be concerned or to take any interest?—If they were conscious that there was any rampant injustice, they would complain.

35540. You understand by the Indian masses, those who are directly touched by the cases, such as an individual prisoner or the community to which he belongs. But the great masses are not in any way concerned with the class of officer who tries the cases?—Certainly they are, because it is they that form the subject of criminal investigation. They are the persons affected by the present system being good or bad. There may be others; but, generally speaking, the masses form the subject of criminal investigation and they ought to know whether the present system is good or bad. My answer is that I am not aware of any such demand on their part.

35541. I put to you a concrete question. Do you mean to tell me seriously that when two classes of officers are placed before the masses, the District and Sessions Judge and the District Magistrate, then the masses would all rush to the District Magistrate to be tried by him?—I did not say so. What I say is that they are satisfied with the present arrangement. There is no demand on their part for any change in the system.

35542. I want to know what basis you have to go upon when you speak so definitely about the masses?—I have come in contact with them. I have put in 13 years' service; and I ought to know the people. I ought to know the masses. I spend nearly three months every year on tour and if I do not see the people what am I here for?

35543. Supposing for a moment that the preventive powers under Chapter A were reserved for Executive officers, would there be any obstacle or objection to the differentiation of the functions: if the preventive powers under the Criminal Procedure Code were left untouched, would there be any serious objection to the differentiation of the functions?—There would be objection on the score of expense. I think we will have to increase the *personnel*.

35544. The item of expense and anything else?—At present I cannot think of any other serious objection.

35545. As regards the item of expense, are you aware that the State makes a very large profit from court fees?—Yes.

35546. Would there be any objection to meet the additional expense from that profit?—I would not advocate any change unless I am satisfied that it was needed in the public interests.

35547. So far as the expense goes, there would be no objection to utilise that fund for that expenditure if that was considered necessary?—No, only if it was considered necessary.

35548. You say under question (13) "a system which is susceptible of producing civilian judges of the calibre of the late Sir Raymond West should not be condemned * * *." During the last 60 years have you heard more than two names from the place you referred to—Bombay—beyond Sir Maxwell Melville and Sir Raymond West?—I do not know Bombay.

35549. You named Bombay and so I asked you?—The name of Sir Raymond West occurred to me as that of the most distinguished civilian judge.

35550. In Bombay during the last 60 years do you know any other two names beyond Sir Maxwell Melville and Sir Raymond West as those of successful civilian judges?—I know nothing of Bombay except Sir Raymond West.

35551. (*Sir Murray Hammick.*) As to the District Magistrate calling for records in pending cases, you have mentioned one case in which a District Magistrate does it, that is, when he goes to the jail and finds a prisoner having been long under trial, he would naturally send for records in that case. Again, it is not unusual for a District Magistrate to receive petitions alleging irregularities in the conduct of cases, in which case he would send for the records to see if there had been any irregularities?—Yes.

35552. Sometimes petitions are put in for transfers, in which case the District Magistrate cannot say whether cases should be transferred or not until he has read the records?—Yes.

35553. In all these cases during the pendency of the cases the records are sent for by the District Magistrates and perused by him under the powers given to him by the Criminal Procedure Code?—Yes.

35554. Then I would also ask you one question with reference to what you mean by saying that you would like to take the opinion of the masses. What you mean is that the efficiency of the Criminal Courts in a district is of immense importance to the inhabitants of the district?—Yes.

35555. It is not whether they desire to be tried by this person or by that person, but it is a question whether, in making a change, you will not impair the efficiency of the Courts. I suppose that is what you mean when you talked about the masses?—Yes.

35556. A third question that I would ask you is with reference to court fees. The position is very often taken that there is a very large surplus, but has it not been shown that when you take that large surplus in the court fees account, you take no account of the amount of money that is spent on buildings for judicial purposes apart from the amount which is spent on pensions of judicial officers?—No.

35557. If you take these two into account, it is exceedingly likely that the surplus which is alleged to exist in court fees fund will disappear?—That is so.

35558. (*Mr. Standen.*) Is it possible to get a knowledge of the Revenue system of the Central Provinces, the Land Records system, without going into camp?—Not perfectly.

35559. Do you consider that a full knowledge of the working of the system is necessary for the efficiency of a judge?—I certainly think so.

35560. Then as regards the separation of the Judicial and Executive functions, do you think,

supposing you had a magistrate in the district who was in the habit of giving decisions wrongly, his position would be made untenable by public opinion?—It would be.

35561. That is to say, people of the division would find it out and notice it. Would not anybody venture to complain against it?—The matter is bound to be brought to the notice of the higher authorities.

35562. Somebody would complain and bring to notice?—Yes.

35563. You were for many years in England?—Yes.

35564. For how many years?—For 7 years.

35565. You went to England when you were 17?—Yes. I came back when I was 24.

35566. Did your views on public questions undergo any change in England?—I took very little interest in public affairs before I went to England.

35567. You did not form any opinion about public affairs in India before you went to England?—No. I was taking some interest in public affairs, but not keenly.

35568. You are still going to England when you are on leave?—I have been there for three years. Altogether I have been ten years in Europe.

35569. You know Englishmen both in India and in England?—Yes.

35570. You mentioned in answer to question (1) "it is conceivable that a recruit may deteriorate morally after his arrival in India owing to sudden contact with alien social and moral conditions at an impressionable period of life." That is just at a time when he is finally emancipated from all control, tutorial or guardian control, and comes into contact with new conditions and new climate and so on, which may have a bad effect on his character?—Yes.

35571. I would ask you whether, in addition to these undesirable influences, there are not others in India which will not be available in England and which will have exactly the opposite effect. I am referring to the possibilities in India of even a poor man indulging in sports and pastimes which tone the nerves and strengthen the body. Do you think that it is any way appreciable or not?—I was thinking of men posted to Sub-divisions away from head-quarters where men would probably spend six months or more on end, without coming into contact with other Europeans. We have not got here the system we had at Berhampur. In Bengal, it is the custom for sub-divisional officers to be away for months from the wholesome influence of contact with other Europeans.

35572. You think there are distinct influences on the other side to keep men from deterioration?—Yes, except in exceptional cases.

35573. (*Mr. Thakur.*) About your merging the listed posts, are these merged posts in any way different from the unmerged posts of the ordinary Provincial Service?—We have got a list here, but I have not studied the question very well.

35574. After they become merged are they in any way distinguishable from posts ordinarily held by the members of the Provincial Service?—No. Most of those are filled by the members of the Provincial Service.

35575. Is there any difference between the merged posts and the ordinary posts?—No. The difference is lost sight of.

35576. Do they bring in any extra amount of dignity to the holders of these posts beyond the fact that those who hold those posts occupy the grade of the posts merged?—There is no distinction between the posts which were separate before and which are merged now, and other posts.

35577. Therefore does it not follow that if the listed posts are to be given it would only be superior posts from the Civil Service cadre?—Yes it should be superior posts.

35578. There is no use listing inferior posts?—No. I mean superior posts.

35579. You have said that in Bengal there is the highest grade of Rs. 1,000. Will you kindly let us know what the grades are between Rs. 500 and Rs. 1,000?—I cannot tell you. It is given in the schedule. I have not studied it carefully. You will find that they are given there as an appendix to the questions. I cannot put my finger on it at once. It will take some time to find it out.

35580. Between the grades of Rs. 500 and Rs. 1,000 would it not be well to have grades on Rs. 650 and Rs. 800, the grading which has been adopted lately by the Government of the United Provinces?—I think our present system is all right except that I would add a grade of Rs. 1,000.

35581. From Rs. 800 to Rs. 1,000?—Yes; that would be given only to fit men.

35582. You will retain all grades?—Yes. I would retain all grades except that I would add a grade on Rs. 1,000.

35583. Would it not be better that people up to Rs. 500 should get promotion by increments of Rs. 100 and people above that salary should get promotion by an increment of Rs. 150, which will be secured by having two grades of Rs. 650 and Rs. 800 between Rs. 500 and Rs. 1,000?—I am afraid I cannot give an opinion on that question. It seems to me invidious that there should be a grade of Rs. 1,000 in Bengal but not here.

35584. In your answer to the last question you think that it should be a pension of Rs. 600 per mensem?—Yes.

35585. (*Mr. Fisher.*) Are you aware that before an English boy at an English public school applies for a scholarship for a University he has to obtain the permission of the schoolmaster?—I think there is such a rule.

35586. No school boy would be sent up for a scholarship unless he has a reasonable likelihood of succeeding?—No.

35587. So that, in England, at any rate, there is a very strong practical check upon the number of competitors who may go up for University scholarships?—Yes.

35588. Are you aware that the list of subjects for the Indian Civil Service Examination and the scale of marks are settled by the Civil Service Commissioners in conference with the representa-

tives of not merely Oxford but also of the other British Universities ?—I am not aware.

35589 So that, if Oxford men do happen sometimes to succeed in these examinations, the result may perhaps be due to the state of their attainments ?—Yes.

(The witness withdrew.)

RAGHUNATH SADASHEO THAKUR, Esq., Extra Assistant Commissioner.

Written answers relating to the Provincial Civil Service.

35590 (1). Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration ?—These conditions are suitable.

35591 (2). Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your Province. Are these rules suitable, or have you any recommendations to make for their alteration ?—The rules are suitable except that I would like 'B.A. or B.Sc.' to be substituted by 'B.L. or LL.B.,' and add the following after Eurasian in rule 3 (1) "a member of a distinguished noble Indian family."

35592 (3). Please see the statement showing the constitution of the Provincial Civil Service, reproduced as Appendix B to these questions, and state whether the information is correct for your Province. If not, what alterations are required ?—The strength of the Executive branch on the 1st of January 1908 was 98 as per details given in Appendix B. A post of oriental translator was, however, subsequently added to the 5th grade on Rs. 400 (Government of India D confidential letter No. 31, dated the 7th January 1909). There are thus 99 posts on the Executive side.

35593 (4). Please state the different systems of recruitment that have been adopted for the Provincial Civil Service, the periods for which they were in force, and the number of officers recruited year by year in your Province under each system since its formation ?—It seems necessary to give a short history of the service. The Provincial Civil Service for the Central Provinces was constituted under this name at the beginning of the year 1893 (Central Provinces Gazette Notification No. 1312 of 22nd February 1893) as the result of the report of the Public Service Commission of 1886-87, though the staff of Extra Assistant Commissioners existed since the year 1864, when there were 2 members on it in the 2nd and 4th grades; of these one was appointed an Assistant Commissioner in 1869. They were recruited from the ministerial line; which alone supplied Extra Assistant Commissioners till the year 1882 when a grade of Rs. 600 was formed and added to then existing 4 grades, and when the revised strength of the staff stood at 33 divided in several grades as follows :—

	Rs.		
1st grade of	600	2	posts.
2nd do.	500	6	do.
3rd do.	400	11	do.
4th do.	300	8	do.
5th do.	250	6	do.
TOTAL ...		33	

During the period from 1882 to 1890 four more posts were added to those in the 1st, 2nd, 3rd and 5th grades, thus making a total of 37. The recruitment during this period was by direct appointment in 4 cases (the candidates being a Muhammadan gentleman, 2 qualified pleaders from respectable Hindu families, one of them being an M.A., LL.B., and a European gentleman) and by drafting 4 members of proved merit and ability from the Jail, Police, Education and Registration Departments and about four times as many from the ministerial line, *i.e.*, from clerks of court, Deputy Registrar, Superintendents and the like who were English-knowing people. During the year 1891 seven new posts were added to the cadre, as it was found necessary to appoint Civil Judges to give relief to Deputy Commissioners who were overburdened with civil work and the cadre of Extra Assistant Commissioners was not sufficiently large to meet the demands of all districts. The following list shows the number of appointments in the various grades and was published under *Central Provinces Gazette* Notification No. 8414 of 10th December 1891 :—

	Rs.		
5th grade of	600	4	appointments.
4th do.	500	11	do.
3rd do.	400	12	do.
2nd do.	300	8	do.
1st do.	250	9	do.
TOTAL ...		44	

Trained Munsifs were sent for from United Provinces and Punjab and appointed Extra Assistant Commissioners to do the Civil work, and it was found necessary to make provision for an adequate reserve of officers to fill up vacancies caused by leave or sickness of Extra Assistant Commissioners and Civil Judges, and with the sanction of the Government of India temporary appointments of Extra Assistant Commissioners in excess of the total number of 44 were made so long as the full number of Assistant Commissioners doing district work did not amount to 18. Attention was also paid to the best means of improving the *personnel* of the staff by guarding against the appointment as Extra Assistant Commissioners of persons insufficiently qualified by education and previous training for duties which they had to discharge. The practice of promoting ministerial officers to the Executive and Judicial charges was discontinued and a standard of educational qualification to govern the selection of recruits laid down. During 1891 three Munsifs from the United Provinces and Punjab were imported to do the Civil Judges' work. One officer was taken up from the Education Department, two officers of special merit were recruited from the ministerial line, two officers from the Tahsildars' line and two directly. During 1892, three European gentlemen were directly appointed and four Munsifs imported from the United Provinces and Punjab. The scheme for the Provincial Civil Service was published in the *Central Provinces Gazette* of 22nd February

1893, and special qualifications for admission to the provincial service were prescribed. It provided for the transfer to this service of—

(*a*) 1 Deputy Commissionership.
(*b*) 2 Small Cause Court Judgeships.
(*c*) 1 post of Registrar, Judicial Commissioner's Court.
(*d*) 1 post of Assistant to the Commissioner of Settlement; and
(*e*) 2 Assistant Commissionerships.

The condition about (*a*) and (*b*) was that the rate of pay of those appointments when held by members of the Provincial Service would be as follows—liable to alteration should the interest of the public service require it :—

	Rs.	
1 Deputy Commissionership .	1,600	if in the 1st grade.
1 Deputy Commissionership .	1,200	if in the 2nd grade.
1 Deputy Commissionership .	1,000	if in the 3rd grade.
1 Small Cause Court Judgeship on	800	
1 Small Cause Court Judgeship on	700	

The remaining posts (*c*), (*d*) and (*e*) were converted into Extra Assistant Commissionerships as follows :—

	Rs.	
1 post of Extra Assistant Commissioner, 2nd grade, on .	600	(corresponding to Assistant Commissioner, 1st class).
1 post of Extra Assistant Commissioner, 3rd grade, on .	500	(corresponding to Assistant Commissioner, 2nd class).
1 post of Extra Assistant Commissioner, 4th grade, on .	400	(corresponding to Assistant Commissioner, 3rd class).
1 post of Extra Assistant Commissioner, 5th grade, on .	300	(corresponding to Assistant Commissioner, 4th class).

The grading under the new scheme was then as follows for the Extra Assistant Commissioners :—

Grade.	Pay. Rs.	No. of posts.
1st	700	1
2nd	600	6
3rd	500	12
4th	400	13
5th	300	9
6th	250	7
TOTAL ...		48

The same cadre continued till the end of the year 1902. Many officiating and temporary Extra Assistant Commissioners were appointed above the sanctioned staff for the requirements of the districts and in leave vacancies. The cadre was therefore reorganised and a self-contained service constituted and brought into effect from 1st March 1903, the total strength being 101—52 Executive and 49 Judicial (*Central Provinces Gazette* Notification $\frac{1674}{1675}$ of 27th February 1903).

The details of these 101 appointments are :—

For District work	74
For Settlement work	4
For Special duty	3
For Foreign service	4
Small Cause Court Judges	2
Second Assistant to the Commissioner of Settlements and Agriculture . . .	1
TOTAL .	88
And leave reserve at 14 per cent. of 88 *plus* 3 =	13
TOTAL ...	101

Grade.	Pay. Rs.	No. of posts.
1st	800	2
2nd	700	2
3rd	600	6
4th	500	14
5th	400	24
6th	300	26
7th	250	14
8th	200	13
TOTAL ...		101

From 1st October 1903 Berar was amalgamated with the Central Provinces (Foreign Department Notification No. 4246-I.B., dated Simla, the 11th September 1903), and the cadre of Berar Provincial service before amalgamation was as follows :—

	Rs.	
1st class at	600	2 posts.
2nd do.	500	2 do.
3rd do.	400	6 do.
4th do.	300	4 do.
5th do.	250	6 do.
TOTAL ...		20

The Provincial Service of Berar was amalgamated with the Central Provinces Provincial Service with effect from 1st September 1905, and the joint provincial list was of 129 Extra Assistant Commissioners (101 for Central Provinces, 4 additional posts sanctioned for Berar and 4 excise posts) divided into 2 lists—Executive and Judicial—which stood as follows on that date: *vide Central Provinces Gazette* Notification Nos. 10207-10208 of 1st September 1905) :—

Executive list, 68 Officers.

	Rs.	
1st grade of	800	2 posts.
2nd do.	700	1 post.
3rd do.	600	4 posts.
4th do.	500	9 do.
5th do.	400	15 do.
6th do.	300	16 do.
7th do.	250	11 do.
8th do.	200	10 do.
TOTAL ...		68

Judicial list, 61 Officers.

	Rs.	
1st grade of	800	1 post.
2nd do	700	2 posts.
3rd do.	600	4 do.
4th do.	500	8 do.
5th do.	400	13 do.
6th do.	300	15 do.
7th do.	250	10 do.
8th do.	200	8 do.
TOTAL ...		61

The two lists are separately maintained and promotions made separately from the date of separation. From 1905 to 1907 some further revision and additions to the cadre of Executive Extra Assistant Commissioners were made, and in

1907 the strength on Executive list was 79, details being:—

		Rs.
2	posts in the 1st grade of . .	800
1	post do. 2nd do. . .	700
4	posts do. 3rd do. . .	600
10	do. 4th do. . .	500
16	do. 5th do. . .	400
18	do. 6th do. . .	300
14	do. 7th do. . .	250
15	do. 8th do. . .	200
TOTAL . 79		

This cadre was reorganised again from the beginning of the year 1908 and 19 posts were added—2 in the 2nd grade, 2 in 3rd, 4 in 4th, 8 in 5th, and 6 in 7th, and the number of posts in the last grade was reduced by 3—the net result being 98. The answer to question (3) above explains the increase of one post in the grade. The attached statement shows the number of officers recruited year by year since the formation of the scheme. It excludes such officers as were taken up temporarily or to fill up officiating appointments. It will be seen from this statement that the recruitment was generally according to the scheme, and that in very exceptional cases only were the officers recruited from the ministerial line up to 1905.

Statement showing the number of officers recruited into the Provincial Civil Service year by year from the year 1893.

Year.	Imported from other Provinces.	Direct appointments.	INDIRECT APPOINTMENTS. From Tahsildars.	From Forest Department.	From Police Department.	From Public Works Department.	From Education Department.	From Accounts Department.	From Ministerial Service.	From Munsifs.	From Settlement or Agriculture Department.	From Excise Department.	Total.
1	2	3	4	5	6	7	8	9	10	11	12	13	14
1893 .	3	5	3	...	...	...	...	...	1	...	...	...	12
1894 .	...	2	4	...	...	...	...	...	2	...	...	...	8
1895 .	...	1	1	...	...	...	...	...	...	...	...	...	2
1896 .	...	1	1	...	1	...	...	...	3	...	1	...	7
1897 .	...	...	2	...	...	...	...	...	...	...	...	...	2
1898 .	...	...	2	...	...	...	...	...	...	1	...	...	3
1899 .	...	1	1	...	1	...	1	...	...	...	1	...	6
1900 .	...	8	2	...	...	...	...	2	...	1	...	...	13
1901 .	...	12	8	1	1	...	1	...	2	2	1	...	28
1902 .	...	...	2	...	...	...	...	1	...	3	1	...	7
1903 .	...	2	1	...	...	...	...	...	...	4	1	...	8
1904 .	...	1	1	...	...	...	...	...	...	3	...	...	5
1905 .	...	1	5	...	...	...	...	...	1	1	1	2	11
1906 .	1	4	11	...	...	...	...	...	...	...	1	1	18
1907 .	...	1	8	...	...	...	1	...	...	...	...	...	10
1908 .	...	3	12	...	...	...	...	...	...	...	...	1	16
1909 .	...	...	...	...	...	...	...	...	...	...	1	...	1
1910 .	...	...	...	...	...	...	...	...	...	...	2	...	2
1911 .	...	1	2	...	...	1	...	...	...	...	...	...	4
1912 .	...	1	...	...	...	...	...	...	...	...	...	...	1
Total ...	4	44	66	1	3	1	3	3	9	15	10	4	163

35594 (5). Please state the number of natural-born subjects of His Majesty other than "Natives of India" recruited in your Province in each year?—There have in all been four such subjects recruited up to date in the Provincial Service—one in the year 1890 and three in 1892.

35595 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—The system of direct recruitment has proved satisfactory. Of the 44 members who were directly recruited 30 were taken up on the Judicial side at the separation thereof from the executive in the year 1905. Almost all the members on the judicial list are graduates of Arts and Law. This service as a whole has improved very much. The remaining 14 members on the Executive side have done very well notwithstanding the difficulties they had to encounter on their way. They came into the field without any previous experience or training, and were put to the work straight, and as they were every way qualified they picked up their work soon besides passing their Departmental examinations in Procedure, Law and Languages. I think that 33 per cent. of the vacancies in the Provincial Executive Service should be filled up by direct recruitment, the conditions about educational qualifications being that the candidates must have obtained a degree in Law. A beginning in the right direction has already been made by the appointment of a Barrister-at-Law and 2 B.L.'s direct to the service. The remaining, *i.e.*, 66 per cent., vacancies should be filled up by only selected and academically qualified officers from the Tahsildars' line. Experience has shown that the method of recruiting from this line is more satisfactory than any other. Officers selected from other subordinate services do not make as good Extra Assistant Commissioners as the selected Tahsildars do, and the simple reason is that the former are not in the line and have not, therefore, the same opportunities of knowing various things and dealing with matters of varied kinds as the latter have. In doing their ordinary work the Tahsildars, if they observe carefully what their superior officers do or have to do, gather much knowledge which stands them in good stead when they are called upon to fill more responsible posts. Some of them grasp the situation quickly and by the use of their strong commonsense steer their way through without wavering in doubt; these are able to dispose of their work promptly. They know how to deal with people under particular circumstances, and they can realise the difficulties of the public and devise or suggest suitable remedies. In short, opportunities offer themselves to them for the exercise of their tact, intelligence, prudence, and controlling power, and they get into the habit of thinking and doing things properly. If they have the advantage of possessing University qualifications they cannot fail to attract the attention of their officers. For direct appointment, I recommend nomination by the Divisional Commissioners. There should be separate lists of nominated candidates maintained in the offices of the Divisional Commissioners and their copies in the Secretariat. The Local Government should have a free hand in making suitable selections therefrom, and it will give due consideration to the claims of each Division. Competition is a thing unknown in the history of service here, and there seems to be no occasion for it if my scheme of recruiting law graduates only is accepted. These candidates will not sit idle, but commence their practice at the Bar and mind their business even

after securing their nomination, and gain so much experience in their profession. The knowledge of law is as essential to an Executive officer as it is to a Judicial officer; it is why he is required to pass the Departmental examinations. With this knowledge and experience the nominated candidates will be better equipped still for their appointments. Should any of them, however, fail to secure the appointment, they will not be worse off for that. There will, therefore, be no occasion for any heart-burning or grounds for suspicion of motives of Government when it tries to hold the balance even. I personally think that time is coming when some of the nominated candidates will refuse to accept the Extra Assistant Commissionerships if they see that they can earn as much as or more than the pay of an Extra Assistant Commissioner of the last grade in the beginning. Instances are not wanting of officers who got the Extra Assistant Commissionerships straight and gave them up with the hope of bettering their prospects outside. Their expectations have been fully realised, and they are much better off now than they would have been had they continued in the Provincial Service.

35596 (7). To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?—Three officers only were imported from other provinces 7 years back, but none after that. I consider it essential that the residents of the Provinces only should ordinarily be recruited. There was a time when educated people were scarce in the province, and when therefore it was necessary to get such men from other provinces. The conditions during the last 20 years have so much changed that there are now more qualified persons available than there are posts to be filled up—this being so, local claims deserve preferential consideration and should be first satisfied.

35597 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—Out of 99 officers in the service 35 represent all classes of Brahmans, 28 Muhammadans, 11 Eurasians, 9 Kayasths, 4 Parsees, 3 Europeans, 2 Kalars, 2 Parbhus and the remaining 5 Jew, Native Christian, Kshatri, Sonar and Tailor classes. Judging from the literate and English-knowing male population of the various classes of the census of 1901 the representation seems unequal or disproportionate. I am of opinion that people of the province do not generally care much for representation of classes or communities. All that they want is fair play. I am not in favour of subordinating efficiency to representation. Let an officer be a Hindu, a Muhammadan or a Parsi, people are satisfied with him so long as he metes out fair treatment and justice and does not work or act with a biassed mind or interested motive. An impartial officer gets all the respect due to him and is liked by all the fair-minded people. But if the due representation of classes and communities can be made compatible with efficiency, it would be better still and quite in keeping with the spirit of the rules and aspirations of certain classes of people.

35598 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory and, if not, what alterations do you recommend?—Every officer appointed to the Provincial Civil Service, whether by direct recruitment or otherwise, has to be on probation for the first two years of his service unless the Chief Commissioner in any special case declares such probation unnecessary. He has also to pass the prescribed departmental examinations during the period of probation. On his appointment he is placed in subordinate charge of the district treasury under the supervision of the Treasury Officer and invested with third class criminal powers. He has to make acquaintance with the various details of his work and the office routine, and to pick up rules and laws without much help or assistance. He finds himself embarrassed and is perhaps shy to ask anything from his brother officers. He treads his path unaided, but his general culture leads him a long way, and he begins to do his usual work with confidence after a few days. His anxiety to pass the Departmental examinations comes, to a great extent, in the way of his profiting much during the period of probation—it acts like a night-mare and retards his progress in work. A year's probation should be quite enough for an officer to make himself acquainted with his work, provided these examinations have not to be passed. If graduates of law of the Allahabad University are appointed probationers, the necessity of passing the departmental examination in Civil, Criminal and Revenue law and procedure would be obviated—they will have then to pass in Treasury, Survey, and Language, and they should not have much difficulty in passing these. I would not, however, have the period of probation reduced, but I would suggest that a probationer should, during the first year of his appointment, be kept attached to some senior assistant in the district who should always guide him in the proper path and be made responsible for his training. He should be taken out in camp by such Assistant or the Deputy Commissioner and told what one should do in camp. The success of training will depend greatly on the amount of interest which the Deputy Commissioner may take in a probationer. At present he is put to the work and learns his work, passes his examinations and secures confirmation.

35599 (10). Is the existing system of Departmental examinations suitable and, if not, what changes do you recommend?—The existing system of Departmental examination is suitable.

35600 (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—I think that it would be better to remove the 10 appointments for the district excise work, the appointment of Personal Assistant to the Excise Commissioner, the appointment of Assistant Director of Agriculture, and the 8 appointments of Assistant Settlement officers from the Provincial Civil Service and to include them in the Provincial Service of the Departments concerned. There is the Provincial Agricultural Service already in existence. I understand that the Provincial Excise scheme is

in the course of formation, and it may be possible to have a separate Provincial Settlement Service on the analogy of the Agricultural service.

35601 (12). What is the system on which the strength of the $\frac{\text{Executive}}{\text{Judicial}}$ branch of your Provincial Civil Service is fixed? Do you consider it satisfactory and, if not, what alterations do you recommend?—The Provincial Civil Service is self-contained, and the scale has been fixed at 99 as detailed below:—

(1) For ordinary district work . .	60
(2) For foreign service	3
(3) For Assistant Settlement Officer . .	8
(4) For Assistant Director of Agriculture	1
(5) Personal Assistant to Excise Commissioner.	1
(6) Excise work in District . . .	10
(7) Special duty	3
(8) Oriental Translator	1
TOTAL ...	87
Add leave reserve at 14 per cent. calculated on the above 87 appointments and on 1 or 2 Deputy Commissionerships listed as open to the Provincial Service	12
TOTAL ...	99

I have in answer to question (11) above already proposed the removal of the Excise Agriculture and Settlement appointments from the Provincial Service, and I would propose the recasting of the scale in view of the increased demand of assistants in certain districts where the existing staff is insufficient to cope with the heavy work and is therefore already overworked. The self-contained scheme has the drawback of keeping back some officers from enjoying the benefits of temporary promotions due to officiating vacancies, and this difference from other schemes strikes one prominently when he every day sees temporary promotions in other services gazetted. The time-scale in the lower grades and the scheme by which temporary promotions in the higher grades would be secured will meet the requirements and give satisfaction.

35602 (14). Is there any reserve for officers under training and is it adequate?—There is no such reserve provided for in the scale, but the Chief Commissioner has power to appoint, when necessary, probationers, provided their number at one time does not exceed seven.

35603 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—I am not aware if the system of selection for appointment to the higher grades has been enforced. I think that it should be strictly enforced now that the competition is keen. It will afford a good stimulus for better work and make the service more attractive and interesting to the younger generation.

35604 (17). Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—If more appointments are added in the higher grades and the number of them in the lower grades reduced, if the system of selection for appointments to the higher grades is enforced, and if the officers who have finished their term of service are not, except in very exceptional cases, given any extension, the interests of individual officers and of the Administration will be duly reconciled. At present there are too many posts in the 5th and 6th grades and an officer entering them feels the stagnation for some years: their reduction and the introduction of the time-scale scheme in the lower grades should remedy the disadvantages. Any extension given to an officer who has finished his term means a loss to many others which can be avoided by compulsorily retiring him. If the above advantages are secured, the flow of promotion will generally be even.

35605 (18). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable and, if so, in what direction?—The officers of Judicial Service do Civil work only, and those of the Executive, the Revenue, Criminal, Treasury, Registration, District Council, Municipal, and other miscellaneous work. The Civil officers have no tour to do, the Executive officers have to go out in camp for a certain number of days during the year. The functions of the Civil officers are thus distinct from those of the Executive officers; the former have to be mostly at their desks and thus to lead a sedentary and monotonous life; the latter break the monotony by combining tour and other outdoor duties with their work at the desk and have to be of active habits. A civil officer has no occasion to do any criminal work at all, and it is an anomaly that he should get into the Sessions or Additional Sessions Judgeship where he has to hear appeals against the judgments of first class Sub-divisional and District Magistrates of many years' standing. An Executive officer begins as a third-class Magistrate and goes up to the Sub-divisional Magistrate trying cases of different nature and gaining experience of various phases of human life and conduct. In the interest of justice competent Sub-divisional Magistrates only should, in my humble opinion, be selected to fill the posts of Additional Sessions Judges and Sessions Judges, and none from the civil line if he had not sufficient previous training and experience in criminal work.

35606 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—I am satisfied with the arrangement by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, but the treatment of the statutory civilians as provincial service men for the purposes of listed posts seems to have been prejudicial to the interests of the senior members of the Provincial Service. I think,

moreover, that the Judicial Service has taken up more listed posts than the Executive. As a matter of fact no member of the Provincial Service (Executive) held or holds permanently any listed post, because the only statutory civilian is holding the charge of the district and there is no provision for a provincial man to hold charge of a second district in the Central Provinces. But on many occasions the Administration appointed Extra Assistant Commissioners to officiate as Deputy Commissioners in temporary vacancies. Members from the Provincial line were also appointed to act as Registrar, Judicial Commissioner's Court, Assistant to the Commissioner of Settlement and Agriculture, Assistant Director of Agriculture and Assistant Secretary. Three posts have been allotted to officers of the Provincial Judicial line, the prospects whereof are likely to improve further shortly. If 3 superior listed posts in the Central Provinces, including the post of the Inspector General of Registration which, it appears, is shortly to be created, and 2 in Berar, are listed, they ought to give general satisfaction. At present a statutory civilian and 2 uncovenanted officers hold charge of 3 districts, and an uncovenanted officer of the Berar Commission is at the head of the Excise Department of the Central Provinces and Berar. These 5 listed posts should be filled up by selected officers of proved merit and ability from the Provincial line and from such officers as hold the inferior listed posts of which I shall say more in answering the following question. None but graduates should be selected to fill these posts, and the selection should be made when the officers may be comparatively young and have sufficient energy for work.

35607 (20). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—I am not satisfied with the system by which the inferior listed posts have been merged into the Provincial Civil Service and would suggest that three posts for the Central Provinces and two for Berar may be listed as open to such members of the Provincial Service whom the Local Government may, with due regard to their high status in society, exceptional merit, literary attainment, etc., deem fit to appoint. The officers holding these posts should have all the benefits and privileges of the class to which they belong. They should get the full pay of their appointments and all-round training like other Civilian assistants. They will have opportunities of moving in higher circles and of picking up by observation a great many things of which those not having such opportunities betray hopeless ignorance. They will, in short, have an occasion to strengthen the social ties, understand their superiors and equals better, and to imbibe from them the ideas and principles of good administration. It is for these special advantages that I would have the inferior listed posts thrown open.

35608 (21). Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?—I am satisfied with the present designation "the Provincial Service."

35609 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Service as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I do not accept as suitable the principle that the conditions of the Provincial Service as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officer appointed. The tradition of the service, the high estimation in which it has been and is held, the expenses which the members thereof are required to incur to keep up the prestige and position, the kind of work which the members of it do, are important factors which should entitle the Service to special treatment as regards pay. Extra Assistant Commissioners do the same kind of work as the Assistant Commissioners do and rise up to the District charges; they ought, therefore, to get more decent pay and have better prospects than people in any other Provincial Service.

35610 (23). Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Civil Service authorised on the 1st April of each of the following years—1890, 1900, and 1912. When was the last general reorganisation effected, and what improvement of prospects was effected thereby?—The rates of pay and the number of posts in each of the main grades of the Provincial Civil Service on the 1st of April of three years were as follows:—

Grade.	Pay.	On 1st April 1890.	On 1st April 1900.	On 1st April 1912.
	Rs.			
1st	800	...	...	2
2nd	700	...	1	3
3rd	600	3	6	6
4th	500	7	12	14
5th	400	12	13	24
6th	300	8	12	24
7th	250	7	7	14
8th	200	...	...	12
TOTAL ...	...	37	51	99

The last general reorganisation was effected in 1908 when 19 posts were added to the then existing cadre. Almost all the members of the Service were benefited as the number of appointments in the higher grades were increased.

35611 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—Looking to the importance and the high estimation in which the Provincial Service, next of course to the Indian Services, is held, and considering the fact that various Provincial Services have come into existence, it seems high time that the pay and prospects of the Service should be improved if it has to continue to be attractive to officers of the desired qualifications. The prices of food grain and other articles have risen enormously during the last few years, the pays

of servants and syces doubled, the comforts of life improved and the style and fashion of living changed to a great extent with the spread of civilisation. The pay of the last grade is wholly inadequate, being Rs. 200 only, and the promotions in the grades are slow and the result is that many have to retire from the grade of Rs. 400 or Rs. 500 to which they with difficulty reach. As pay increases the expenses proportionately go up and the responsibilities of the family multiply towards the latter part of the service. The grades of pay should therefore be so arranged as to secure an even flow of promotion and fair chances for officers to retire from the grade of Rs. 700 at least. I would recommend that the grades of Rs. 250 and Rs. 200 should be abolished and two grades of Rs. 1,000 and Rs. 900 added to the scale. An Extra Assistant Commissioner of the last grade should get as much as a Sub-Judge of the last grade and surely more than the Tahsildar of 1st grade whose pay is Rs. 250 a month. The average pay in the Central Provinces and Berar works out at Rs. 372, which is much less compared with that in Madras, Bombay, Burma, Bengal and Assam, where the averages are respectively 422, 436, 422, 376, and 373. The grade of Rs. 200 is peculiar to the Central Provinces since 1903. The two last grades of Rs. 250 and Rs. 200 are not in existence in the Bombay Presidency and Burma and should not be in the scale at all. Of all the appointments in the Service I would have one-third in the 4 higher grades and two-thirds in the 4 lower grades, *i.e.*, 33 in the former and 66 in the latter in a scale of 99. The distribution may be something like the following:—

			Rs.
2	posts in 1st	grade of . . .	1,000
4	„ 2nd	„ . . .	900
10	„ 3rd	„ . . .	800
17	„ 4th	„ . . .	700
18	„ 5th	„ . . .	600
18	„ 6th	„ . . .	500
18	„ 7th	„ . . .	400
12	„ 8th	„ . . .	300

35612 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—I am not satisfied that officiating promotions are not made in the Provincial Civil Service. I would recommend a time-scale for the lower four grades and all reasonable facilities for temporary promotions in the higher grades due to vacancies caused by officers proceeding on deputation or leave.

35613 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—In my opinion the time-scale should be restricted to the four grades of Rs. 300, 400, 500 and 600 only, and the promotions in the higher grades should be ordinarily made.

35614 (27). As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?—No. I do not recommend a system by which each main class of appointment would have a separate time-scale.

35615 (28). What is your experience of the practical working of time-scales of pay in other Indian Services?—I cannot say much of this, but I believe the time-scale system is working very well in other Indian Services.

35616 (29). If you recommend any kind of time-scale of pay, please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance? How do you propose to apply such time-scales in provinces where the scale of pay of the executive and judicial branches of the service is different?—I propose a uniform time-scale, for all the last four grades. Under this scheme the pay will be progressive. It will rise by five annual increments of Rs. 20 from the minimum to maximum. The grant of annual increment should be made conditional on good work and conduct. The periodical increment should not be granted as a matter of course unless an officer has merited it. It should be withheld for bad work or conduct at the discretion of the Local Government, which will decide in individual cases whether postponing of future increments is or is not necessary. The promotions to superior grades should be made by special selection from the grade of Rs. 500 or above.

35617 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—The arrangement of giving two-thirds pay to officers holding listed appointments was all right till some years back, but the conditions have so much changed during the last 12 years that a relaxation of the rule seems necessary. I think that the officers holding inferior listed posts should get the full pay of their appointments and that those holding superior listed posts at least three-fourths if not the full pay of these posts. They have to live in very nearly the same style in which the European officers live and to attend to various social calls. The education of children means also a great drain on their purses. There are few people now who do not realise the advantages of the training and education which boys get in English public schools and residential Universities of England. If one could afford to send his sons to be benefited by English education to England he would take the earliest opportunity to do so. It is the natural desire of every educated man to see his children prosper, and it is no wonder if the officers holding listed posts desire that their sons may go to England and return successful so that the position to which they have reached by dint of their intelligence, perseverance and devotion to duty may be maintained if not improved. This object can be gained if they get sufficient pay to enable them to lay by something to meet such demands. It will be conceded that the people holding listed appointments should go abroad to gain experience and knowledge of the world. Education and

marriages of daughters cost a lot and for an Indian the responsibilities of a joint family are great. For these considerations I think that all listed officers should get the full pay of the appointments they hold.

35618 (31). Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—The number of officers who took privilege leave in 1912 was 20 against 5 of 1892, and 10 officers took combined leave in 1912 against 4 in 1902. It has begun to be realised that after hard work the system wants rest to be again fresh for further work, but unless private work necessitates the taking of leave by officers, they do not take it generally. They try to make the privilege leave suffice because they do not suffer any loss in pay. The combined leave is taken by officers only when their health begins to show signs of failure. They thus bear the loss of half pay for three months because they cannot avoid it.

35619 (32). Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—The leave on full pay due to them is not ordinarily taken by officers of the Provincial Service because of the fear of extra expenditure they have to incur in going about and of transfers which generally follow. The pay of these officers is so fixed that they are generally only a little above want and can hardly afford to spend enough on pleasure trips or luxuries during holidays without feeling the pinch. On transfers they get only double the class of allowance to which they are entitled and this compares most unfavourably with the actual amount they have to spend. I think that it would be a good arrangement if these officers are allowed to accumulate privilege leave for 5 months instead of 3 months. It will be in the interest of the Government and the officers if these take the accumulated leave on full pay. Combined leave will prove useful to those in time of necessity who may not have enough privilege leave at their credit.

35620 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—The furlough due to them is not ordinarily taken by members of the Provincial Service. Recourse to this concession is taken in some cases by the officers at the fag end of their service preparatory to retirement. Officers should be allowed to take as much furlough as is permissible under the rules.

35621 (34). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—The rates of furlough allowances do not seem to be suitable. To give an officer a chance to renovate his vigor and energy after a period of toil, I beg to suggest that the furlough allowance should be fixed at two-thirds of the average salary for the first period of 15 months of each period of such leave and at half the average salary during the remaining period of his furlough.

35622 (39). Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—I have already pointed out the difficulties that are experienced by the operation of privilege leave and furlough allowance rules and suggested the remedies. Here I beg to point out that the rule about leave on medical certificate presses hardly in some cases where the ailment cannot be cured within a period of 3 years allowed by article 336, Civil Service Regulations. I would suggest that this period may be fixed at 5 years. This will be in keeping with the arrangement according to which it is under contemplation to place the long leave Indian service rules on a basis of those of European service. Under this arrangement an officer will be able to earn furlough equal to one-sixth of the active service rendered by him and the total furlough admissible to him would be 5 years, and all kinds of long leave—extraordinary leave without allowance excepted—would come under one designation. The differences between the rules of the two Services will be fairly equalised under the aforesaid arrangement.

35623 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—The present system of superannuation pension is satisfactory in the interests of both the Government and the members of the Provincial Civil Service.

35624 (41). Have you any suggestions to make in favour of any modifications in its detailed working, and if so, what, and for what reasons?—The only suggestion that I have to make is that no extension should ordinarily be given to an officer who has attained the age of 55, because his retention means a great loss to such members as will be benefited by his retirement. This loss can never be recouped unless they also get similar extension which this proposal seeks to discourage.

35625 (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—I approve of the grant of reduced pension for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence. They may be granted compassionate allowances not exceeding two-thirds of their pension which would have been admissible if they had retired on medical certificate.

35626 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—I do not approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts. For reasons given

in answer to question (30), the amount of pension granted to these officers should be at least three-fourths of, if not equal to, the amount of pension made available to members of the Indian Civil Service.

35627 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—The rules governing the voluntary and compulsory retirement of the members of the Provincial Civil Service are fairly satisfactory. The rule about compelling an officer to retire should, however, be strictly enforced, except in very exceptional cases.

35628 (45). To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially recognised funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—Almost all the members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund and most of them to postal or other insurance funds. No further facilities are required.

35629 (46). Are you satisfied with the existing organisation of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—I am not quite satisfied with the existing organisation of the Provincial Civil Service. I have already expressed my views and made suggestions in answering questions bearing on the points concerned.

35630 (47). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—I have to make two proposals and they are about travelling and daily allowances. I have already pointed out above that the travelling allowances allowed on transfers bear a very small proportion to the actual expenditure incurred by the officer concerned. Every transfer means actual loss to an officer. I beg therefore to suggest that all Extra Assistant Commissioners should get reasonable actual expenses on transfers. An Extra Assistant Commissioner of the grade of Rs. 500 or below in the Central Provinces is treated as a second-class officer for the purposes of calculation of travelling and daily allowances, whereas Assistant Superintendents of Telegraphs, apprentice Assistant Superintendents on a pay of Rs. 100, the Superintendents of Post Offices on Rs. 300 per mensem, Assistant Engineer, Honorary Assistant Engineer and apprentice Assistant Engineer, Extra Assistant Commissioners in charge of the Sub-Divisions in Burma, are treated as first-class officers. I cannot understand where the difference comes in, and I would suggest that all the Extra Assistant Commissioners of the Central Provinces and Berar may be treated as first-class officers.

MR. R. S. THAKUR called and examined.

35631. (*Chairman.*) You are an Extra Assistant Commissioner?—Yes.

35632. Will you tell us what your experience has been in the service?—I have been these sixteen years in service. I began as a Deputy Inspector of Schools, then I was appointed as a Tahsildar, and from the Tahsildar line I was made an Extra Assistant Commissioner some years back.

35633. How did you enter the service?—I made an application and I was taken into the Educational line. From the Educational line, I was selected to the Tahsildar line, and from the Tahsildar line I was taken into the Provincial Civil Service.

35634. Had you to wait long for your selection?—I do not think I had to wait long.

35635. Did you get your appointment in the first year you applied?—I got it in the first year.

35636. As regards the Executive Service you would recruit 33 per cent. by means of nomination directly?—Yes.

35637. And the remaining 66 per cent. by promotion from among Tahsildars?—Yes.

35638. And you would let the Commissioner nominate subject to the final approval of the Local Government?—Yes.

35639. Have you ever considered whether it might be more satisfactory to have these candidates nominated by a Board?—Yes; there will be no harm; it would be a good thing.

35640. Why do you propose in your answer to question (11) to remove from the Provincial Civil Service cadre the 20 appointments that you mention?—To have a purely provincial Executive Service consisting of Graduates only.

35641. You propose that they should be removed from the Service—the appointments that you mention?—Yes.

35642. And that these appointments should be placed in the special departments to which they specially relate?—Yes.

35643. If they are a part of the staff of these special departments, how is it that they are in the Provincial Service and not in the departments now?—Because we are getting people from the lowest strata—I mean Revenue Inspectors, who get into Tahsildarships and Extra Assistant Commissionerships. These people are not generally capable of being put into the Provincial Executive Service.

35644. That is not the point I am asking you about. You say that certain appointments should be taken away from Provincial Civil Service and should be placed under the special departments—one in the Agricultural Department and so on?—My main proposal is to take them away from this line.

35645. And to put them into special departments?—Yes; they may be put.

35646. You say in your answer that they ought to be definitely so put. I am not asking you about the origin of these officers, but I am asking

you why you say that they should be taken away from the Provincial Civil Service and placed into the cadre of the special departments ?—I would make them stick to one line; and they should not remain in this line; they should never have been put into the Provincial Civil Service.

35647. Do I gather from that that their work is found to be exclusively attached to particular departments ?—Quite so.

35648. How does it then come about that these officers are in the Provincial Civil Service—why are not they in the special departments ?—That I could not say.

35649. You do not know why they were put into the Provincial Civil Service and why they were not put into the Provincial Service of those particular departments ?—No.

35650. Having taken away these appointments from the Service, would you create 20 other appointments to fill their places ?—No; we would not create 20 other appointments. But if there is necessity we may have some more appointments. That is 79 plus a few more, if necessary.

35651. You take these officers out and will merely fill up their places in the Provincial Service as the requirements of the Service suggest themselves ?—Yes.

35652. You complain in your answer to question (12) about over-work. Can you tell us a little more about it ? In what sense is there over-work ?—An officer is ordinarily expected to work from 11 to 5, and if he has to do work for many hours more, he is over-worked. If an officer has to do work for 9 or 10 hours, that is more than 6 hours, I call such an officer over-worked.

35653. If he has to work for 10 hours you call such an officer over-worked ?—Yes.

35654. At present do you say that you and your colleagues have to work for that number of hours ?—Not in every district. There are certain districts where the work is particularly heavy. In the district where I am placed, I have got too much work. I am myself over-worked.

35655. Is yours a very heavy district ?—It is a pretty heavy district.

35656. When you say you have too much work, can you tell us in what way you have too much work ? We are anxious to be informed on that point; in what way you have too much work—whether it is spasmodic or normal ?—I am the Secretary of the District Council and so I have to look after the District Council work. I am the Vice-President of the Municipality and have to look after the Municipal work; and I am also the Treasury Officer.

35657. Of what Municipality are you the Vice-President ?—Of Wardha.

35658. What is its population ?—The population is about 13,000.

35659. Will you continue and tell us in what way you are over-worked ?—As I stated, I am the Treasury Officer; I am the District Registrar, and I am also the Sub-divisional Magistrate of Wardha: and I do other miscellaneous work also.

35660. You have mentioned several branches of public duties. Which among these do you say is the most onerous ? Which is the one that occupies your attention and time most ?—The Treasury work.

35661. What is the next ?—The next is criminal work—the magistracy.

35662. How many days a week do you do criminal work ?—Days are not fixed; we have to take work as it comes.

35663. On an average ?—2½ hours every day.

35664. As regards the Municipal work that you speak of, does it entail much work ?—Not much work.

35665. What would be your suggestion ? You say that this is more than you can satisfactorily discharge. What do you propose to us by way of alleviating and remedying that over-work ?—An additional assistant should be given, so that the work will be distributed equally.

35666. What is the area of your district ?—I am sorry I could not give that.

35667. What is the population ?—I could not say.

35668. You say that you want a time-scale in the lower grades and a system of officiating grade promotion in the higher appointments ?—Yes.

35669. What advantages in your opinion has the latter system over the former ? Is not the time-scale of promotion much more regular than the grade promotion ?—It is very convenient, of course.

35670. Up to what grade do you suggest the time-scale ?—Up to Rs. 600.

35671. You do not agree with those who suggest that it should go higher ?—No; he may take the ordinary chances; an officer above Rs. 600 may take the graded system.

35672. If it went up to Rs. 600, it would get rid of the main block that at present exists ?—I think so.

35673. You say in your answer to question (16) that you are not sure whether there has been selection in the higher grades ?—I know of four cases in which officers were only passed over for some defect. I could not say that there has been no selection from one grade into another. A man may have passed over a man above him. That is not, in my opinion, selection proper. In this case, only the man has been passed over by another next below him.

35673A. Has the man who has been passed over had his promotion in the years subsequent ?—One of them did not get it; but others got it.

35674. You do not like that form of selection, you say ?—That is not real selection.

35675. What do you call real selection ?—If a man of one grade is selected to go into the next higher grade or a grade higher than that, then I call it a special selection. If a man is in the tenth place in the list and if he is taken and brought into the last place in the higher grade, that I would call selection. Simply because a man is taken over the head of another I do not think it could be called a selection.

35676. You would like to see that done ?—I would.

35677. You say in your answer to question (18) that you would only appoint Sub-Divisional Magistrates as Additional Sessions Judges and Sessions Judges ?—Yes.

35678. Do not Sessions Judges also have to do Civil Judicial work ?—No. Sessions Judges have not to do that. In this Province there is the

combined system. The Divisional and the Sessions Judge is one and the same person.

35679. You mean that the Sessions Judges do not do any Civil work at all?—They do not do it.

35680. Does the Divisional and Sessions Judge do Civil and Criminal work?—Here one officer does both the duties.

35681. What do you call him?—Divisional and Sessions Judge. Divisional Judge is the man who does the Civil work of the Division and as Sessions Judge he does the Criminal part.

35682. You ask for an increase of salaries ranging from Rs. 300 to Rs. 1,000, improved grading and three-fourths of the pay, if not the full pay, for listed posts; and you also ask for better leave conditions, for increased pension facilities and for extra travelling allowance on transfers. Those are the four heads of the proposals which you make for improvement in the Service?—Yes.

35683. You understand that all these would entail considerable cost?—Yes.

35684. Which do you consider to be the most important of these proposals?—They are all important.

35685. I know they are all important; but if you cannot get all, which would you choose?—Improved grading.

35686. (*Sir Murray Hammick.*) You took your degree I suppose from the Bombay University?—I took it from the Calcutta University.

35687. And you have been in the service since when?—Since 1896.

35688. And you are now the sixth grade Deputy Collector drawing Rs. 300?—Yes.

35689. How long have you been Deputy Collector—when did you enter the Deputy Collector's grade?—1906.

35690. Were you put in as Deputy Collector at the bottom or where?—At the bottom.

35691. So in seven years you have risen to almost the top of the 6th grade?—Yes, but there was a reorganisation in this interval.

35692. Are you in charge of the Wardha Tahsil?—Yes.

35693. You have under you a Tahsildar?—Yes.

35694. Is he a Magistrate?—Yes.

35695. Of the second class?—Yes.

35696. But he does not commit cases to the sessions?—He does not.

35697. So you have all the committal work to do in that Taluq, as well as your treasury work. You are also Treasury Deputy Collector?—Yes.

35698. And you have got all the criminal work to do?—Yes, and all the summary cases also.

35699. Have you got a Bench?—We have got a Bench.

35700. With third-class powers?—Yes.

35701. What do they do?—Not much. They are Honorary Magistrates.

35702. How often do they sit?—At their sweet pleasure.

35703. They have no regular time for sitting? There are times for sitting, but they do not stick to them.

35704. They do not come in?—No.

35705. How many members are there, composing the Bench?—Four members.

35706. The Tahsildar always sits with them?—The Tahsildar has nothing to do with them.

35707. Then they sit by themselves?—Yes.

35708. How many cases a year do they dispose of—last year for instance?—Might have disposed of 25, 30 or 40 cases.

35709. For a whole year?—Yes.

35710. Not a very efficient Bench then?—Cannot expect anything better from them.

35711. Who are the members—Merchants or Vakils?—Merchants.

35712. No Vakils on it?—No. Vakils will never care to sit on the Bench.

35713. They try petty Municipal cases when they choose to sit?—Yes.

35714. You are the Vice-Chairman of the Municipality and you are Secretary of the District Council?—Yes.

35715. Who is the President of that Council?—Rao Bahadur Khare. He is a Vakil.

35716. He is the non-official President of the District Board?—Yes.

35717. The Board has jurisdiction over the whole of the Wardha District?—Yes.

35718. And practically all the work falls upon you?—The Secretary has to do it.

35719. You say that all this work is too much for you to do?—Yes.

35720. How many Assistant Commissioners are there in the District?—Two others.

35721. One in each of the other two tahsils?—Yes.

35722. Each of the tahsils has got its Tahsildar and Assistant Commissioner?—Yes.

35723. As regards the answer you gave to the Chairman with reference to the Sub-Divisional Magistrates becoming Additional Sessions Judges and Sessions Judges, you have in the Wardha District an Additional Judge?—An Additional Judge. The Divisional Judge is in Nagpur.

35724. He tries all the criminal cases from Wardha district?—All the criminal sessions cases from Wardha.

35725. You have no judge in Wardha? Is there an Additional Sessions Judge?—There is one.

35726. Where does he sit?—He is a District Judge and he does it in addition to his own duties.

35727. He holds his court in Wardha?—Yes.

35728. He tries criminal cases and civil cases?—Yes, both.

35729. He has civil jurisdiction over Wardha district?—Yes.

35730. Then he tries also such cases as the Divisional Judge sends him for trial—criminal cases?—Yes.

35731. In each tahsil you have a munsif?—Yes.

35732. He does exclusively civil work?—Yes.

35733. You have no Sub-Judges?—We have two Sub-Judges.

35734. They do exclusively civil work?—Yes.

35735. So you have five munsifs, two Sub-Judges and one Additional Sessions Judge who is also the District Judge for all the district of Wardha?—Yes.

35736. The District Judge does criminal work sent to him by the Divisional Judge at Nagpur?—Yes.

35737. You say in answer to question (6) that "time is coming when some of the nominated candidates will refuse to accept the Extra Assistant Commissionerships," and you go on to say "instances are not wanting of officers who got the Extra Assistant Commissionerships straight and gave them up with the hope of bettering their prospects outside." What kind of prospects? Is it to law they go?—Yes, to law.

35738. They prefer to be vakils rather than be Extra Assistant Commissioners?—Yes.

35739. There is no other future before them except to become vakils or to enter the Government Service?—That is all.

35740. You think that the chances of becoming successful vakils are sufficient to prevent certain candidates from coming into Government Service?—Yes.

35741. Then you say in answer to question (8) "I am of opinion that people of the Province do not generally care much for representation of classes or communities. All that they want is fair play." If all that the people want is fair play and they do not want representation of classes or communities, what is the objection to having the Provincial Civil Service recruited by competitive examination? You say that competition is unknown and there is no occasion for it. What would be your objection to competition as a means of entering into the service?—When qualifications are equal, I do not think there is much to be gained by competition. I have suggested that law graduates only should be taken. If all candidates are law graduates, it is better to select the candidates rather than to leave the whole affair to the chances of competitive examination.

35742. You may have competition amongst law graduates. Does not the present system of selection or nomination by the Commissioner lead to many a young man trying to obtain favour with Deputy Commissioners and the Assistant Commissioner in the district, in order to try and get in by nomination; does it not lead to a lot of what we call kow-towing to officers of the district in order to get nomination?—One cannot expect to have absolute good in any scheme. Every scheme must have its drawbacks. Even in competition there may be some kind of jobbery, as there may be in any other system.

35743. What kind of jobbery do you mean?—Examiners may be approached.

35744. Do you think that is likely to happen?—Not likely to happen.

35745. The other is very likely to happen—one going about and getting himself nominated?—That is just as likely as the other.

35746. You do not think that there is any choice of evils between competition and nomination?—Nomination is better in my opinion.

35747. Why do you think it is better?—Because you see clearly with your eyes open what the candidate has—the various qualifications that he possesses.

35748. You do not think of the favouritism that it will naturally give rise to?—There may be a rare case of favouritism; but as I said you cannot expect absolute good in any scheme.

35749. As regards the two grievances that you mentioned, that the officers of the Provincial Service do not get first-class travelling allowance and also are subjected to expensive moves getting only daily allowance, are these two grievances felt acutely in the Provincial Service?—Yes. Every one complains of them.

35750. There is a great deal of complaint about it?—Yes.

35751. What part of the country do you come from?—I am a resident of Saugor.

35752. (*Mr. Macdonald.*) With reference to a point about which you were not clear in your answers to the Chairman regarding the District and Sessions Judges having various functions, am I right in explaining it in this way, that these two functions are joined in one man?—They are joined in one man.

35753. As District Judge he does civil work?—That is the system in the Central Provinces. The system in Berar is different. There are District and Sessions Judges there; but here, there are Divisional and Sessions Judges.

35754. As Divisional Judge he does one kind of work and as Sessions Judge he has got another kind of work to do?—Yes.

35755. The confusion only arises because there are these two different functions, civil and criminal, centred in one man, who sometimes act as one and at other times as the other?—That does not cause any difficulty.

35756. I do not say that causes difficulty. That represents sometimes to my mind a difficulty of explanation, that is the one having two functions. With reference to your answers to questions on the Provincial Service you say that one of the rules regarding employment in the Provincial Civil Service is Europeans and Eurasians may have different qualifications from those of the Hindus. Can you explain to me why that difference exists?—My proposal is to remove that difference.

35757. Do you know why that exists?—I could not say that.

35758. Do you agree with the difference?—No, I do not agree.

35759. Do you want to put the Europeans and Eurasians on the same terms as the other races under this rule about educational qualifications and appoint only B.A.'s or B.Sc.'s?—No, I say B.L.'s or LL.B.'s. For superior posts in the Provincial Service I propose the qualification B.L. or LL.B. and not B.A. or B.Sc.

35760. You want to substitute B.L. or LL.B. for B.A. or B.Sc.?—This qualification of B.A. or B.Sc. has been fixed for the subordinate provincial service, and for the superior Provincial Civil Service the qualification should be higher.

35761. My question relates to the Provincial Civil Service?—There are two classes in the Provincial Civil Service—one superior and the other subordinate. For the subordinate Civil Service, B.A. or B.Sc. is the qualification fixed. But we are talking of the superior provincial service, for which I propose B.L. or LL.B.

35762. I am putting questions about this subsection 3 "education qualifications," contained in the Government Order. Do you want to change that order?—Yes, I want to.

35763. You want to put B.L. or LL.B. for B.A. or B.Sc.?—Yes.

35764. Then do you want Europeans and Eurasians to come up to the same standard?—Yes, there will be no harm.

35765. You say there are two standards. Would you refuse to recruit a European or a Eurasian unless he came up to the educational standard of the other candidates?—Ordinarily, he should be refused.

35766. You would not make it a rule?—No.

35767. Another point is: If you turn to your table on page 5 you see that the recruitments from the ministerial service have been very few and ceased altogether in 1905. What is it due to; do you know?—The people that rose from the rank and file were perhaps thought to have got into some bad practices and it may be for things like these that the door was closed.

35768. Have you had any experience of the ministerial service?—No.

35769. Have you some of those belonging to that service as your subordinates?—Yes, many.

35770. So far as that is concerned, you have that experience?—Yes.

35771. Do you think it is a good thing to have a service like that with no prospects of passing into higher services?—They have the prospects in their own service to rise up to Rs. 600 or Rs. 700.

35772. They can rise as far as Rs. 600 or Rs. 700?—Yes.

35773. You do not think that it is advisable to enable them to get into the Provincial Service?—They would not be able to come into it because they are not men having any University degrees Most of them.

35774. You quite agree with the policy which was put into operation finally in 1905?—Yes.

35775. In reply to question (32) you say that you are in favour of the accumulation of the privilege leave up to five months?—Yes.

35776. How are they going to accumulate this privilege leave?—At present they can accumulate their privilege leave up to three months, and what I suggest is that the privilege may be allowed to be accumulated up to five months.

35777. How much per annum?—One month.

35778. How long does it take them to accumulate five months?—Five years.

35779. So that you would allow them to go on for five years without any holiday and at the end of five years to take it right away?—Yes.

35780. What has been the tendency within recent years as regards the privilege leave; has the tendency been to take it?—No; not much.

35781. Is it taken more now than it used to be?—A little more than before.

35782. Turn to your answer to question (31). There you say "the number of officers who took privilege in 1912 was 20 against 5 of 1892." Does that show an encouraging increase on the present lines or does it not?—No. It looks as if it is an increase. But if you look to the number of officers who were in the service in these years you will find that it is not a great increase. The figures apparently show that so many people took leave in such and such year against so many in such and such year; but if you see the statistics as regards officers employed in those years and those who went on leave, you will find that there is not much difference.

35783. How much is this refusal on the part of officers to take leave due to the old habit out of which they will get very slowly whatever facilities you may put in their way?—If they can get five months at a time, they will take it, I think.

35784. Does it or does it not change the whole idea of privilege leave until it becomes furlough?—Furlough they will take and they will take this leave also.

35785. Do you take the view that privilege leave is really leave for short holidays, intended to give a man frequently just sufficient respite from his work to make him run steadily?—That is the idea.

35786. If a man is to work five years and is allowed to accumulate his leave every year, would you still preserve that idea about his work?—He would have absolute rest for five months.

35787. After five years he will have absolute rest?—Yes.

(Adjourned for a short time.)

35788. (*Mr. Sly.*) You have told the Commission that at present you occupy the post of Sub-divisional Officer in addition to Treasury Officer?—Yes.

35789. Is that the common practice in the Wardha Headquarters?—Yes.

35790. Is there any other case in the Province in which a Subdivisional Officer also holds the post of Treasury Officer?—I do not know of other places.

35791. Have you ever known another case in which these two offices have been combined in one person?—In Chhindwara there was a case like that.

35792. Was it permanent or only for a time?—Only for a time.

35793. The arrangement in Wardha is permanent, is it not?—Yes.

35794. In regard to your proposals for the recruitment of the Provincial Civil Service; you recommend that one-third should be recruited direct by a system of nomination and two-thirds should be recruited by promotion from the Subordinate Service?—Yes.

35795. Can you tell us from your experience which class of officer is most successful in his duties as a Provincial Civil Service officer, the one who comes in by a system of direct recruitment or the one who comes by a system of recruitment by promotion from the Subordinate Service?—A system of recruitment by promotion from the Subordinate Service has been most successful.

35796. More successful than the direct appointment?—I think so.

35797. The whole system of recruitment from the ministerial service or office establishments has been abolished?—Yes.

35798. Do you consider that has resulted in the improvement of the Provincial Civil Service?—Very much to its improvement.

35799. In regard to these posts that you wish to take out of the Provincial Civil Service cadre, do you know that recommendations have been made for the abolition of the posts of Excise Officers

which are at present included in that cadre?—I have mentioned that in my answer.

35800. Then there remain eight appointments of Assistant Settlement Officer and those also you wish to exclude from the Provincial Service?—Yes.

35801. The reason why they were included in the Provincial Civil Service was because they formed too small a number of officers to make a self-contained Service with a regular flow of promotion?—Yes.

35802. Does it, as a matter of fact, cause any damage to the Provincial Civil Service to have these officers included in the cadre?—There is no damage done to the Service.

35803. Then why do you wish to exclude them?—Because they are officers with inferior educational qualifications, and I wish the Provincial Executive Service to be just like the Provincial Judicial Service.

35804. But you also get the officer with inferior educational qualifications in the Provincial Civil Service when he is promoted from the ranks of the Subordinate Service, which you have already stated to be the best method of recruitment?—But we shall have graduates amongst us.

35805. Do you wish to restrict promotion from the Subordinate Service to graduates only?—Yes, I have said so in my answer.

35806. I should like you to state quite definitely what your proposal is with regard to listed posts?—I wish to have five superior listed posts and five inferior listed posts thrown open in the Executive Branch.

35807. What are the five superior posts you wish to have in the Executive Branch?—Deputy Commissionerships.

35808. And the Inspector-General of Registration?—He is included in the five.

35809. So that you want four Deputy Commissioners and one Inspector-General of Registration?—Yes.

35810. In regard to the work of the Bench and Honorary Magistrates, is it not the case that a very substantial proportion of the Criminal work of the Province is done by Bench and Honorary Magistrates, that nearly 30 per cent. of the total number of Criminal cases in the Province are disposed of by them?—I am not aware of the percentage.

35811. But from your experience in the other parts of the Province do you not consider that Bench and Honorary Magistrates do their work fairly satisfactorily and form a most useful body of honorary officers in the administration of Criminal Justice?—There are many who do good work.

35812. (*Mr. Fisher.*) You propose to recruit 66 per cent. of the Provincial Executive Service from Academically qualified Tahsildars?—Yes.

35813. Are most Tahsildars Academically qualified?—Most of them, especially those that have been selected of late years.

35814. Have they the B.A. degree?—They have.

35815. (*Mr. Madge.*) In answer to question (8) you refer to eleven Eurasians in the whole Service out of 99. So far as you are aware, have these men done as good service as the others and disclosed much the same qualities?—I cannot give any definite opinion about their work.

35816. You have not come across any?—No.

35817. You have not had them under you or working with you?—No.

35818. In the Rules which you give you have something which may give the impression that some unfair advantage is given to Europeans or Eurasians. You say: "A candidate must have passed the B.A. or B.Sc. examination of a University or in the case of a European or Eurasian have received an education which, in the opinion of the Chief Commissioner, will fit him for the discharge of the duties of an officer of the Service." That is to say, that you provide for a particular class what may seem an unfair advantage, investing in the Chief Commissioner the power to grant appointment to a man who has not secured a degree?—Yes.

35819. Have you a first-class European school in these Provinces?—I do not know which is the first-class school.

35820. Do you think there is a first-class European school equal to the best in India?—I do not think so.

35821. Are you aware that Eurasians and Europeans consider religion an absolutely necessary part of education and are on that ground alone debarred from the best Indian schools?—I am not aware of that.

35822. If the Chief Commissioner is vested with what seems an extraordinary power, would it be because you think he has other means of ascertaining character and quality apart from an examination? Is that the ground on which you have introduced this exception?—The exception was there; I have not originated it.

35823. Do you approve of the exception?—I have no objection.

35824. In answer to question (7) you say: "I consider it essential that the residents of the Provinces only should ordinarily be recruited;" and then you go on to refer to the education in the Provinces. Is it mainly on the ground of education that you think this should be done?—Being residents of the Province they know people better and can do their work better than other people here.

35825. It is apart from the question of pure education?—Yes.

35826. In answer to question (20) you say the officers holding these posts should have all the benefits and privileges of the class to which they belong. Do you mean that when promoted to a post in the Civil Service they should be merged into the cadre of that Service?—Yes.

35827. With all the advantages?—Yes, all.

35828. Would not that lead to a number of adjustments which you have not referred to?—No. I am not aware of any.

35829. (*Sir Theodore Morison.*) With regard to your answer to question (2) I understand you wish the exception which is at present made in the case of Europeans or Eurasians to be extended to members of distinguished noble Indian families?—Yes.

35830. You do not wish to abolish that rule, but to extend it?—Yes, to extend it.

35831. Do you think that this class is desirable in the Public Service?—It is.

35832. Are they educated?—They are educated.

35833. But are they sufficiently educated to get in as B.A.'s and B.Sc.'s?—Some of them are.

35834. You think there are some desirable recruits who have not that education, or why do you wish to give the Chief Commissioner power to exempt them?—So that he could exercise it whenever he liked.

35835. Do you think there is a class in whose interest it is necessary?—Yes.

35836. A class who would make valuable Public Servants?—Yes.

35837. But they will not come in under the B.A. and B.Sc.?—If they do pass, they will.

35838. B.L and LL.B. mean the same thing?—Yes.

35839. (*Lord Ronaldshay.*) You say that there are few people now who do not realise the advantages of the training and education which boys get in English public schools and residential Universities in England, and that if one could afford to send his sons to be benefited by English education in England he would take the earliest opportunity to do so. Am I to understand from that that Indian parents would be quite prepared, if the expense was no bar to their doing so, to send their sons to England at the age of 13 or 14 in order that they might attend an English public school?—Yes.

35840. You think that that is a pretty general feeling among the educated classes in this country?—Yes.

35841. They see no objection to sending their boys at such a tender age to England to get their education?—No.

35842. With regard to what you say as to the desirability of officers of the Provincial Service holding listed posts getting pensions which are as large, or nearly as large, as officers of the Indian Civil Service, officers of the Indian Civil Service contribute annually towards their pension, and it is generally assumed that their contributions provide about half the total pension which they finally receive. In the Provincial Service do you contribute anything towards your pension during your Service?—We do not contribute, but we might contribute if we were asked to do so.

35843. You do not contribute under the present system?—No.

35844. Do you think the Provincial Service would prefer to continue to draw pensions as they do at present without making any contributions to them, or would they rather have a system under which they were asked to make an annual contribution and draw a higher pension when they retired?—That is difficult for me to answer, but I think there may be some who would like to do it.

35845. But it would hardly be possible to calculate the pension scheme if you made it voluntary for a man to contribute. You see the objection to Provincial Civil Service officers drawing as large a pension as an Indian Civil Service officer unless he contributes in the same way as the Indian Civil Service officer contributes?—Yes.

35846. Had you that in your mind when you answered question (43)?—No, I had not that in my mind.

35847. (*Mr. Standen.*) As regards the arduous character of the work which you have been doing lately, do you consider that you have proper time for sufficient recreation to keep yourself in health?—Yes. I work from 7 to 9 hours and the rest of the time I can utilise for recreation.

35848. Do you find you cannot get out for a ride or a walk or a game of tennis during the day?—There are many occasions when I cannot get out for tennis.

35849. You cannot get out in the evening?—No.

35850. But in the morning you can generally get out?—Yes.

35851. Has your health suffered?—Yes.

35852. You are on leave owing to ill-health, are you not?—I am not on leave at present, but I shall be on leave very soon.

35853. Owing to ill-health?—Yes.

35854. With regard to recruitment to the Provincial Civil Service, you said you thought recruitment ought to be confined to the Central Provinces because the officers recruited in that way have a better knowledge of the people and the state of the country?—Yes.

35855. But would it not be true to say that a man from Bombay would have a better knowledge of the circumstances of the South of the Province than a man from the North of this Province?—Yes.

35856. He knows the language, which the man of the North does not know; he sees the same crops growing, and the same castes as in his own country?—Yes.

35857. Supposing appointments in the Provincial Civil Service of Bombay were thrown open to residents of the South of the Central Provinces, the Marathi-speaking districts, do you think any dissatisfaction would be caused if people from Bombay were allowed to be recruited for the Central Provinces?—There would be some amount of dissatisfaction.

35858. Even if they had opportunities in Bombay?—Yes.

35859. Supposing a man wishes to complain against a Tahsildar or an Extra Assistant Commissioner, would he do it in the first instance by means of an anonymous petition?—No, he would put in a regular complaint.

35860. He would not be afraid to do so?—No.

35861. Have you ever known a case in which a regular complaint with a man's name at the foot of it has been put in against a Tahsildar?—I have.

35862. (*Mr. Mahdi Hasan*) In reply to question (8) you said that judging from the literate and English-knowing male population of the various classes of the census of 1901 the representation seems unequal or disproportionate; and yet in the case of members of distinguished noble families you will not require the educational qualification that you require from others. Will you not go a little further and allow this concession to some influential but backward minorities until their standard rises up to that of the advanced communities?—I am not complaining of unequal representation at all.

35863. You have stated it as a fact, and yet in the case of distinguished members of noble families you dispense with the educational qualifications. Will you not go a little further and allow this concession in the case of some influential minorities, Muhammadans for instance, until their standard of education becomes as high as that of other communities?—But they have now got more than what they should have. However, I do not follow you quite.

35864. (*Mr. Standen.*) May I put the question for Mr. Hasan? He has asked you whether in the case of sons of influential landholders you would not require certain educational qualifications. Would you have any objection if the same concession was made in the case of Muhammadans and other backward but influential communities, that is to say, would you allow them to be recruited without the educational qualifications?—I have already made provision for members of influential families.

35865. Would you allow Muhammadans to be recruited without the educational qualifications?—No. I think they have already more than they should have.

35866. They have been recruited without those qualifications, have they not?—Some of them have got qualifications.

35867. But it has not been made a *sine quâ non* in their case?—No.

35868. Would you allow that to continue or would you insist on a degree?—I would insist on a degree.

35869. (*Mr. Mahdi Hasan.*) Then in reply to question (20) you say: "I am not satisfied with the system by which the inferior listed posts have been merged in the Provincial Civil Service, and would suggest that three posts for the Central Provinces and two for Berar may be listed as open to such members of the Provincial Service whom the Local Government may with due regard to their higher status in society, exceptional merit, literary attainment, etc. deem fit to appoint." Supposing that before a man is appointed to a listed superior post he was appointed to a listed inferior post, he would be held in higher estimation and start his service as Deputy Commissioner in more favourable circumstances. Would you recommend that?—Yes.

35870. (*Mr. Thakur.*) I suppose you are familiar with the Judicial side of your Service?—Not so much.

35871. To some extent?—Yes.

35872. You have given the Commission some idea of the work that the Executive Officers have to do. Do you know what is the state of work on the Judicial side?—They are overworked.

35873. What time do they spend in Courts?—11 to 5.

35874. Have they to do any work at home?—Yes.

35875. What duration of time is taken up by their work at home?—About four or five hours.

35876. In connection with the pension of the Provincial Civil Service, you have referred to those who hold the listed posts. Are you aware that in fixing the proportion of the pay of the listed posts the full contribution that a Civil Service officer makes for pension is deducted before the two-thirds is taken?—I am not aware of that.

35877. You pass the bills every month?—Yes.

35878. Is not the 4 per cent. deducted every month from their pay?—I do not know.

35879. You do not know whether the two-thirds is taken after deducting the 4 per cent.?—No.

35880. If the pension you propose is not considered on that account reasonable, do you not think the pension of the listed posts should bear the same proportion to the pension of the Civil Service post that the pay of the former bears to the pay of the latter?—It should.

35881. Are you aware that on the same ground the Government of India has increased the leave allowance of the Provincial Civil Officers holding listed posts?—I am not aware of it.

(The witness withdrew.)

RAMCHANDRA WASUDEO PARANJPE, Esq., Barrister-at-Law, 2nd Additional District Judge, East Berar Division, Amraoti.

Written answers relating to the Indian Civil Service.

35882 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—Simultaneous examination if introduced in India will, in my opinion, enure to the benefit of this country. I will be in favour of a compulsory probationary period of two years in England for Indian students. The uncertain prospects and disappointments, after having incurred very heavy expenses for a period of nearly three years, are almost crushing. The Indian student, after passing the necessary test in India, will be able to save himself from all these, and will sail to England with every confidence for his probationary period of two years. As an alternative, I would humbly propose 2 dozens of scholarships, from the Government, for the five Universities in India, for Indian students. I am strongly against any differentiation.

35883 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—I would propose the introduction of Sanskrit, Persian and Arabic languages with the same number of marks as for Greek and Latin literature and composition.

35884 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—I suggest no alteration.

35885 (4). Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?—None.

35886 (5). Do you consider that the combination of the open competitive examination for the

Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—The competitive examination for all should be the same; in my opinion. *Vide* answer to question (2).

35887 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(*a*) Selection by headmasters of schools approved or otherwise; (*b*) selection by authorities in Universities approved or otherwise; (*c*) nomination by headmasters or University authorities and selection under the orders of the Secretary of State; (*d*) combined nomination and examination; (*e*) any other method?—The open competitive examination, on the present lines, is satisfactory in principle, in my opinion, and I have to propose no alternative. I disapprove of any of the principles suggested.

35888 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—No. If a sufficient number of scholarships are placed at the disposal of the Indian Universities, I should consider London as the only centre of the Empire where this could be done.

35889 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I have to make no alternative proposal. As an additional proposal it might be accepted.

35890 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that, whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—Neither (*a*) nor (*b*) are acceptable.

35891 (11). If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—For appointment in England also most decidedly.

35892 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed-posts officers of the Provincial Civil Services. If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—No selection.

35893 (13). Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—There is no serious ground for complaint in these provinces, as Indian Civil Servants are being given training, as Sub-Judges, for some time. I have nothing more to recommend.

35894 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—Nothing to suggest.

35895 (15). If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England or candidates who have completed a University course, or candidates at an intermediate stage of education?—The present age-limit of 22 to 24 is proper and good. The candidate begins his service at 25 properly.

35896 (18). What is the most suitable age at which junior civilians should arrive in India?—The candidates will have sufficient time in England, to avail themselves of the facilities in English Universities, for greater distinction. They will become a little more mature, and therefore 26th year of age is suitable.

35897 (19). What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India," and for other natural-born subjects of His Majesty?—Matriculation age 16. M.A. Examination 22. Indian Civil Service Examination 24. 2 years' probation in England 26. I do not recommend any differentiation in respect of age.

35898 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—Yes, I would like to stick to Lord Macaulay's principle. To put the principle fully into operation I suggest the following change in the syllabus. Indian History. (i) Period up to A.D. 800. Hindu Historical period—400 marks.

Hindu pre-Historical period, 400 marks, (ii) Period A.D. 800 to 1900. Muhammadan period 200 marks. Mixed Hindu-Muhammadan period 200 marks. British occupation period 200 marks. Indian Sociology and Political Science 200 marks. Sanskrit or Arabic or Persian. Just similar to Greek and Latin—1,600 marks. Vedic History or Sarasenic History.

35899 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons?—I do not think any differentiation is needed. The Asiatic Oriental languages should be treated as on the same level as Greek and Latin as far as the marks go, and Indian History also.

35900 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—Observing efficiency exclusively as a test in making the appointments, it is not practicable to fix a minimum. It depends only on the needs of the Government, the efficiency of the machinery of the Government, and the political state, or condition, of the country.

35901 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54)? Do you recommend any alterations in this system and, if so, what?—The present system seems to be generally satisfactory. As long as there is no sufficient scope for the admission of "Natives of India" through the medium of open competitive examination, the idea of recruiting "Natives of India," under the present system (stopping statutory service appointments), is not a bad one. The only general recommendation that I am in a position to make is a more liberal share of the higher posts, for the Provincial Service, on almost the same conditions of salary, leave, allowances, etc.

35902 (26). Give a list of the "Natives of India" now serving in your province who were recruited to the Indian Civil Service by means of open competition in England, stating in what year they were admitted, in which posts they are now serving, and their present rate of salary.—(i) G. A. Khan, Esq.; (ii) P. S. Pathak, Esq.; (iii) C. B. N. Cama, Esq.; (iv) B. Dey, Esq.; (v) G. V. Bewoor, Esq.

35903 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?—I am not in favour of reviving the time-worn system of Statutory Civilians.

35904 (29). What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your province? Please distinguish in your reply between (*a*) military officers, and (*b*) others; and give details of the latter?—I am unable to answer this question satisfactorily for want of experience. I know of only two instances and they have both proved officers of a high order, keen perception, and great ability, worthy of the highest judicial honours and responsibilities.

35905 (34). Are all the posts thus listed ordinarily and regularly filled by "Natives of India?" If not, please state for the last five years to what extent there has been any failure to work up to the authorised list, and explain the reasons?—Yes, so far as I have been able to ascertain the facts.

35906 (36). Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilized and in what directions?—Yes.

35907 (37). Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(*a*) to the members of the Provincial Civil Service; and (*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?—Yes. Instead of two posts to which they might be appointed they were given two posts to which they must be appointed.

35908 (38). Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—By this time it is almost certain that the administrative requirements of the Central Provinces, as well as the enormous strides that education has made, among its people, on account of the very liberal grants of money and generous and wide facilities placed at their disposal by the Government of the Province, the growing aspirations it has created, and the pressing claims of an established Provincial Service of over three decades, justify that one Commissionership of a Division, one Deputy Commissionership in each Division of the Province, one permanent Assistant Secretaryship, one permanent Under-Secretaryship, and the Registrar's post should be reserved for members of the Provincial Service.

35909 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—I am in favour of the continuance of the probationary period of one year in England.

35910 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—One year in the case of European students, and two years in the case of Indian students, if simultaneous examination be introduced.

35911 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—At an approved University.

35912 (46). If so, do you advise the selection of one or more Universities for this purpose, and for what reasons?—This matter should be left to the Civil Service Commissioners, in my humble opinion.

35913 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—Yes. But the present scale and conditions might be improved.

35914 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—I should depend upon the wisdom and advice of the Civil Service Commissioners in this respect.

35915 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—The advantage of a general course for a year more during the probationary period should be given to the candidate.

35916 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you?—I have to propose no alterations, except those proposed under question (20).

35917 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts?—I approve of Nos. (i) and (iv).

35918 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—I have already given details on the supposition that the probation is to be spent in England, but I would preferably like the probationer's period for Europeans being passed in India and for Indians in England.

35919 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—I support the proposal.

35920 (55). What is your opinion of a proposal that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—The proposal is suitable.

35921 (56). In the report of the Treasury Committee appointed to consider the organisation of Oriental Studies in London (1909) the view is taken that the preliminary training in Oriental languages and in Law required by probationers can be given better in England than in India, because of the difficulties which junior Civilians would experience in learning these subjects in India, the lack of good teachers in Indian district headquarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—An institution, near about some Indian city of importance, possessing a fairly cool climate, and fairly representative of Oriental civilization and education, should be founded.

35922 (57). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of or supplementary to the system of recruitment in England, please state what system of probation you recommend for such officers?—If the scheme of direct recruitment in India (for "Natives of India") be introduced, I would propose that the period of two years' probation in England should be made compulsory.

35923 (58). In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in India?—I would propose as follows:—In the case of Europeans (Home candidates) one year of probation in England and one in India. In the case of Natives of India both years of probation in England.

35924 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—I consider that a differentiation is necessary on the following lines. The probationary training that they will get should be so arranged as to give a close and intimate insight into European methods of administration, as also a thorough acquaintance with the various problems.

35925 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—I propose that a proper official and judicial training should be placed at their disposal from the work of the lowest grade.

35926 (61). Is the existing system of Departmental examinations suitable, and if not, what change do you recommend?—The present system is suitable.

35927 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes?

Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—I do not believe that there is any very considerable deterioration, in the knowledge possessed by the Indian Civil Servants of the Indian vernaculars, but I think to a certain degree this deterioration is perceptible. The causes for this are, in their nature, unavoidable and inevitable. A quarter of a century ago the Indian Civil Servant was really the father of his people, not only of the lower classes, but also of the higher classes, committed to his charge. The Indian people did not possess any acquaintance with the language of the rulers, and the difficulties of easy communications, in the country itself, and the more so with England, made the average Englishman an integral part of the Indian society. Now the Indian's knowledge of English makes the European's knowledge of the vernaculars unnecessary in many cases. It is regrettable to observe, that as days pass on, the highly educated official or non-official Indian is out of touch with the European, and the European officer's contact is more with the uneducated section of the people than with the educated section. Higher proficiency in languages cannot be attained without an acquaintance with higher thought, and no civilian can have the grasp of thought and language unless he associates more fully, and appreciatively, with the educated Indian.

35928 (63). Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and if so, what changes?—A central school for probationers would be the best means, but best results can be obtained only by individual efforts and initiative.

35929 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the judicial branch. In particular, do you favour a system of granting study leave to Europe, and, if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—Civilians are, at the present day, appointed at once to District Judgeships without any considerable judicial training. The better course would be to insist that every civilian intended for the Judicial Branch of the Service should begin his work as a Sub-Judge, and should not be made a District Judge until the ordinary proficiency is shown by him. The higher judicial appointments should depend upon special aptitude, and on the selection of the High Court. This has been tried with some success in my province.

35930 (65). Do you recommend any special course of study in law in India for officers selected for the judicial branch?—I think that such selected officers should be put in the Legislative Department, under the Legal Remembrancer, and that would be sufficient training, in my opinion.

35931 (67). Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?—I think that an original work in jurisprudence should be rewarded by a special judicial appointment.

35932 (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty?—I would deprecate the least differentiation.

35933 (70). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—For the first two classes I have recommended probation in England, and for Europeans I have recommended probation in India. In my opinion this should suffice.

35934 (71). Please add such remarks as you may desire to offer on any points relating to the system of probation and training for the Indian Civil Service which are not covered by your answers to the foregoing questions?—If at any time a need should arise whereby the Secretary of State would exercise his power of direct nomination of high-born Indians to the commission, irrespective of competition, the education and probation of such gentlemen should be for even much longer periods, and at centres irrespective of the arrangements proposed.

35935 (72). The present theory underlying the conditions of service in the Indian Civil Service is that—(*a*) the members of the Service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—The present system is suitable, and no change is proposed.

35936 (94). Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your province, and, if so, what?—There should be uniform scale of pay and prospects throughout all the provinces of India.

35937 (95). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—I insist that the distinction between Europeans and Indians in the Civil Service, in the matter of exchange compensation,

should be altogether abolished, and that the holders of listed appointments should in this respect be placed on a footing of equality with other civilians.

35938 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?—I recommend the full salary for them.

35939 (116). Do the present leave rules applicable to Statutory Civilians, or to officers of the Provincial Civil Services employed in listed posts, cause any inconvenience to the Administration, or press hardly on the officers themselves, and in what respects? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—I humbly suggest that the same rules about leave should apply to members of the Statutory and Provincial Services, holding appointments ordinarily reserved for the Civil Service. The present rules press very hardly on these officers, because owing to their change of living and the responsible duty that they have to perform, they stand as badly in need of recruiting their health, and the need of going to cooler places and out of India is ordinarily as keenly felt by them.

Written answers relating to the Provincial Civil Service.

35940 (1). Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—With the limitations and alterations suggested in answer to questions which follow, the conditions appear to be suitable generally.

35941 (2). Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your Province. Are these rules suitable, or have you any recommendations to make for their alteration?—I recommend that the rule as to three years' residence should be relaxed. A year's residence ought to suffice in the case of a person intending to reside permanently in these Provinces.

35942 (4). Please state the different systems of recruitment that have been adopted for the Provincial Civil Service, the periods for which they were in force, and the number of officers recruited year by year in your Province under each system since its formation?—A staff of Extra Assistant Commissioners existed before the recommendations of the Public Service Commission of 1886-1887. In 1890 the Government of India moved the Local Government for the constitution of the Service in these Provinces; and the Central Provinces Provincial Civil Service was actually constituted under that name in 1893. The number was then 37. The cadre rose to 44 in 1893, then to 48 in 1896. Thereafter in addition to these there were 45 temporary or officiating appointments of Extra Assistant Commissioners up to 1st of January 1902. In 1903 we saw an important change. The number rose to 129 including 4 Excise posts and 24 Berar posts. A still more radical change was effected in September 1905. A division into Executive and Judicial Branches with separate grading was made thus from Rs. 200 to Rs. 800—

68 Extra Assistant Commissioners—Executive.
51 Extra Assistant Commissioners—Civil Judicial.

In 1907 the figures stood thus:—

79 Extra Assistant Commissioners—Executive.
61 Subordinate Judges—Civil Judicial.

Out of these—

15 worked as District Judges,
33 as Sub-Judges, and
12 classed as Munsifs from Rs. 200 to Rs. 250.

In 1910 one Sub-Judge for Deputy Registrarship was added and one Extra Assistant Commissioner as Oriental Translator of Rs. 400 grade was added, so in 1910 the numbers stood as follows:—

61 Judicial Civil.
99 Extra Assistant Commissioners.

It is understood that the system of recruitment in the Central Provinces is followed on the lines laid down in Government of India's Resolution dated the 19th August 1910. Admission to services is made partly by promotion from subordinate service and partly by appointment of probationers not exceeding 2 years' recruits every year, 7 being the maximum in the Executive. The Judicial branch is recruited by promotion of Munsifs from subordinate service. The latter are selected from Law Graduates. The Local Administration's power of creating appointments of salaries not exceeding Rs. 800 has been recently enlarged from July 1912. My humble suggestion is that this power should be liberally exercised in view of the increasing demands on the present staff.

35943 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—I approve of the principle of selection and nomination with the limitation that preference is given to the highest educational qualifications. I am in favour of educational competition with a certain reserved percentage in the executive for families deserving special consideration at the hands of the Administration owing to their hereditary traditions or past services to the Administration. These methods of recruitment are not only approved by the public, but they have also proved generally satisfactory. By a tacit understanding, law graduates only are being recruited in the judicial branch and simple graduates in the executive branch of the service, but the rules have not yet been amended in these provinces. They should be amended accordingly. For the judicial service, a Law degree and practice

at the Bar, sufficiently long to satisfy the District Judge recommending the candidate, should be the conditions for admission. The Munsifs are not members of the Provincial Civil Service. At present they are members of the Subordinate Civil Service under the rules. This is an anomaly for which there appears to be no justification whatever. In all the advanced provinces of India, excepting the Punjab, Munsifs have been ranked as members of the Provincial Civil Service. On a serious consideration of the question I fail to see any ground for the continuance of this exclusion. So far as I am aware, no direct recruitment to the Provincial Judicial Service has yet been made, though there is nothing in the rules to prevent the Local Government from doing so. Promotions to the Provincial Judicial Service are made from among the Munsifs. The Munsifs of to-day will be the Subordinate Judges of to-morrow. The same educational standard and qualifications have been imposed on both. The only difference is the extent of their pecuniary jurisdiction. The impropriety of the different classification of services is being keenly felt and even resented in some quarters. I would therefore humbly suggest in the first place that the term Munsif should be abolished. Secondly, that the whole body of judicial officers should be all members of the Provincial Service as in the Bombay Presidency.

35944 (7). To what extent are non-residents of the province employed in your Provincial Civil Service? Do you consider that only residents of the province should ordinarily be recruited?—There should be no restriction against non-residents as such on principle, for such restrictions will conflict with the paramount right and necessity of the State to employ in its service the best talents wherever available. But the rightful claims and aspirations of the residents should be duly safeguarded. So far as I am aware, as a general rule, non-residents have not been admitted.

35945 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—Sufficient materials to work up the figures and statistics and the time to do so are not presently at my disposal, but I humbly suggest that efficiency should not be sacrificed to class representation so far as possible, and that class representation should not be considered as a principle. If qualifications are sufficiently high, in exceptional cases, chances should be given by class representation. But the rights of the majorities also should be as adequately guarded as those of the minorities. It will be found that in the Executive Provincial Service, as well as the subordinate branch of it, the Hindus have not had that adequate share of representation which their numerical percentage and their educational attainments demand. They have got sufficient representation in the Judicial Service, because admission to that service has been regulated by a strict and high standard of educational attainments. But the Executive and Police Services have not had a sufficient representation of that element even though the Rajput, the Maratha, and Brahman castes have proved themselves none the less capable and reliable. But though I have expressed an inadequacy of Hindu representation in certain branches I wish to repeat that on principle I am not in favour of communal representation in any of the Services.

35946 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recommend?—There is no system of probation in the judicial branch and none is desired, but I propose that there should be some interchange between Munsifs and Subordinate Judges on one side and Clerks of Courts of District Judges and Registrar and Deputy Registrar, on the other, so as to secure for the former an adequate equipment, training and experience in the routine branches of the judicial department.

35947 (10). Is the existing system of departmental examinations suitable, and, if not, what changes do you recommend?—I have no alterations to recommend.

35948 (12). What is the system on which the strength of the $\frac{\text{executive}}{\text{judicial}}$ branch of your Provincial Civil Service is fixed? Do you consider it satisfactory, and, if not, what alterations do you recommend?—The principle and the system according to which the strength of the Service is maintained are not very clear to me, but the strength of the Judicial Service is entirely inadequate to cope with the growing needs of the province. I would therefore humbly propose an immediate increase by 25 per cent. in the *personnel* of the Service.

35949 (14). Is there any reserve for officers under training and is it adequate?—I am not aware of any in the judicial branch of the service.

35950 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—The principle of selection appears to be the guiding principle in promoting to the higher grade. What particular system and to what extent it is followed is not known to me. I have no change to propose.

35951 (17). Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—My answer to the first part of the question is in the affirmative. On the latter part the only suggestion that I have to offer is the experiment of a transfer of inefficient officers from one branch to some other more suitable branch before compulsory retirement.

35952 (18). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?—The differentiation presently consists in the separation of purely Civil Judicial work from the Criminal and Revenue work. The time is now ripe even in the Central Provinces for a complete separation of the purely Judicial work, both Civil and Criminal, from the Revenue and other

administrative functions of the district. It will not, I believe, be denied that the hands of the Executive officers are now too full with the latter duties and their minds too distracted to acquit themselves creditably in purely criminal judicial work.

35953 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—The present arrangements and number of listed posts fail to satisfy the reasonable aspirations of the Provincial Service. The Provincial Service eagerly looks to the time when, in addition to the listed posts of District and Sessions Judgeships, one post of Judicial Commissionership would be thrown open to it.

35954 (20). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—I am satisfied. I have nothing to suggest.

35955 (21). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—So long as members for this service are not recruited by a competitive examination common to the whole of India, the name needs no change, in my opinion.

35956 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—The principle recommended by the Public Service Commission was good and proper, at least so far as these provinces were concerned, for the main reason that in those days the chance of being appointed to Government service was an asset and a matter of prestige which satisfied the aspirations of the ablest men in the community. But the present more settled condition and advancement of these provinces, the spread of education amongst the people, the evolution of independent educated professions in the native community, and the absence, in the case of men of the Provincial Civil Service, of that prestige and covenants that attach to the position of the member of a superior service, the increased cost of living, almost in every nook and corner of the province, all these with many other minor circumstances have contributed to make the Provincial Government Service not quite so attractive to the best minds amongst educated Indians. The general principle for the adjustment of salaries should, in my humble opinion, be that no member of the services should have to live hereafter on conditions of salary, environment, and prestige wherein he would be perpetually feeling that he is considerably handicapped in all equipments and amenities of life as compared with other Native gentlemen of the same education and standing with whom they come into daily contact.

35957 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—The salaries in all the grades are inadequate to attract the best men in the communities. The salary of Munsifs, who should be all Subordinate Judges, is most unattractive and disappointing. They should have a starting salary of not less than Rs. 200. In the lowest grade there should be as few posts as possible. The highest grade should be of Rs. 1,000. One post of Judicial Commissioner should be thrown open. Some members of the Provincial Service are at least as competent as, and by no means inferior to, those of the Imperial Service in legal attainments.

35958 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—The Provincial Service men are not satisfied with the present system under which officiating promotions are not made in the service. I am of opinion that in this respect the lines laid down for officiating promotions in the Indian Civil Service ought to be followed. The distinction is being keenly felt not only on account of the pecuniary loss involved, but also because it is regarded as an indication of a reproach.

35959 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service or not?—Generally speaking, I am unable to say that the system of a time-scale of salary is preferable to the graded system of promotion; but having regard to the congestion in the Provincial Service, I would welcome the introduction of a time-scale of salary. Under the existing graded system the promotions are so slow that I would consider the junior members of the service fortunate if, on the eve of their retirement, they step into the Rs. 400 grade. Without pretending to lay down any detailed scheme I would submit that an officer of the Provincial Service, at the end of 10 years' service, ought to be in the Rs. 500 grade. I would not like to see the time-scale of salary restricted only to the lower grades of the service.

35960 (28). What is your experience of the practical working of time-scales of pay in other Indian Services?—From some experience of the working of the time-scale of pay in other Indian Services, such as the Provincial Educational Service and Engineering Department, I can speak to their suitability. But I would humbly suggest that the periodical increments by which the maximum pay of an appointment has to be reached should not be made to cover a longer period than five years.

35961 (29). If you recommend any kind of time-scale of pay, please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance. How do you propose to apply such time-scales in provinces where the scale of pay of the executive and

Judicial branches of the Service is different?—During the short time I have had at my disposal I have not been able to consider in detail the scheme of time-scale salary. I cannot, therefore, do more than indicate the general line of the system as proposed in my answer to question (28). I would leave this to the convenience of each Administration and to the importunate needs of the members of the Service.

35962 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—No, I do not at all approve of the arrangement by which officers of the Provincial Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service. When appointed to the listed post an Indian officer has to maintain the same position, dignity and style of living as that of the officers of the Indian Civil Service, and any shortening of his emoluments on the score of his being an Indian will not only hamper him in the maintenance of his high position but is also likely to impair his public usefulness by creating invidious distinctions. The saving thereby effected is too insignificant to warrant the sacrifice of the moral advantages of granting full pay. The exceptionally fortunate Indian, who attains to that position, is a chain between his own race and the Administration, and as such has to bear the double and occasionally intolerable responsibility of keeping up the high style of his English predecessor without sacrificing the high style of Indian high class gentry. Moreover, the gentleman can keep up the same position of his family and children in after years only by giving the highest recognised standard of education here and in England to his children—a course which involves far greater responsibility and anxieties as well as expenditure as compared with those of a European officer of the same standing who can manage the English education of his children much more comfortably and cheaply. In view of the imperative necessity of creating a permanent Indian officialdom to form the broad basis of a first-rate European administrative hierarchy, it is absolutely necessary at least for some decades to safeguard that the listed Native officers be protected by the same amount of pay if not by special emoluments.

35963 (31). Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15 or 20 years ago? If so, to what is this due?—I have not by my side sufficient statistics to answer this question thoroughly, but speaking of my branch of the service I cannot ignore the fact that as days pass on a greater number of officers is forced to go on sick leave. The reason for this is not far to seek. The members of the judicial branch are, from top to bottom, overworked. At home and in office there is constant desk work. The mental wear and tear is immense. Touring or change of work there is none to them, to relieve the dull monotony of their strenuous mental life. The consequence of this excessive strain is an early breakdown, a miserable condition of health, and, if circumstances permit, a premature retirement. The insufficiency of the salaries and the tardiness of the prospects makes it impracticable and pecuniarily inconvenient to sacrifice their half pay, since no kind of leave under the present rules is available unless on half pay. The other great deterrent in the matter of taking leave consists in the obvious fact that transfers in these days are far more frequent. An officer is afraid of adding to his troubles of transfers the bother involved by leave. The rule that confines privilege leave to the maximum period of three months also adds to this inconvenience. This maximum of three months should be increased to the maximum of six months computable at the rate of a month a year as before. Officers of even 10 years' standing have not generally taken privilege leave, merely for the insufficiency of it, to recoup themselves, even though they have been feeling badly in need of it. No leave could be conveniently taken in view of the necessity of maintaining a double establishment for less than a period of six months.

35964 (32). Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—My branch of the service is unacquainted with any leave on full pay. I would suggest that the privilege leave which is permissible to judicial officers on half pay in addition to the one month's summer vacation should be converted into privilege leave on full pay.

35965 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—I have given the answers fully to these questions under question (32). I would like to add that the leave rules for European and Indian Services should be the same. Provinces much more fortunately situated in respect of climatic conditions enjoy a longer vacation than this province. The summer vacation in these provinces ought to be extended to a month and a half at least instead of a month as at present. Members of the Provincial Service should on transfer get travelling allowance sufficient to cover the actual expenses. In these days transfers are so very frequent and the travelling allowance allowable under the existing rules is so small that each transfer means regular punishment and fine to the officer. There should be an increase of 25 per cent. in the personnel of the Provincial Judicial Service. This is rendered necessary by the immense increase in litigation and by the keenness and persistence with which each matter is fought out, resulting in a heavy draft on the officer's time and energy. I may also add here that the inability of the Government to ordinarily grant more than three months' leave at one time causes in the Administration a congestion of jaded, unwilling officers

who drag on until they are involuntarily relieved by the inevitable sick leave.

35966 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—I would humbly propose the superannuation pensions as below:—25 years instead of 30, 20 years instead of 25, on medical certificate. Extensions should be never granted as a rule. This will, to some extent, prevent a block in the promotions. Moreover, extensions cause a further disappointment in the lower grades of the Provincial Service.

35967 (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—I approve of the grant of reduced pensions on the scale of number of years, multiplied by the highest pay enjoyed by the officer, at any time, before retirement, divided by sixty.

35968 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—I do not approve of the present system, but I am not prepared to suggest an alternative.

35969 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—Subject to my answer to question (40).

35970 (45) To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially recognised funds? Are any further facilities required and what arrangements of this kind do you consider to be necessary?—The Provincial Service is very thankful and grateful to the Government for the arrangements already made. Any further expansions made in the same direction would be gratefully appreciated.

MR. R. W. PARANJPE called and examined.

35971. (*Chairman.*) You are a member of the Judicial Branch of the Provincial Civil Service?—Yes.

35972. And you occupy the position of Second Additional District Judge?—Yes.

35973. Will you tell us how you entered the Service?—Just after the famine year I saw the Chief Commissioner and spoke to him about the bad condition of practice, and he offered me an Extra Assistant Commissionership a couple of months after that.

35974. How long ago was that?—It was in 1901.

35975. When you first got into the Service you were an Extra Assistant Commissioner?—Yes. There was no separation between the Judicial and the Civil Branch.

35976. Have you now the full powers of a District Judge?—Yes.

35977. And you draw the extra emoluments?—I drew the extra emoluments for three or four months, but lately I have got no extra emoluments. I am in the Rs. 400 grade and I draw that sum, although I am officiating as Second Additional District Judge of Amraoti. Special sanction was obtained for my post for a year, but I do not know what has been done with the emoluments. For some months I got Rs. 500, but now that has been stopped.

35978. Is Rs. 400 the proper salary for the position you are officiating in?—Certainly not.

35979. What is the proper salary of the post?—Nothing below Rs. 500. It is an appointment reserved for the Indian Civil Service and no person should be appointed as an Additional District Judge below Rs. 500.

35980. With regard to the Provincial Civil Service, you consider it unsatisfactory that a Munsif should be classed in the Subordinate Service?—Very unsatisfactory indeed.

35981. You would like to see Munsifs in the Provincial Service?—Yes.

35982. At what pay would you like to see him commence?—I have proposed nothing less than Rs. 200.

35983. In your reply to question (13) you say that the Judicial arrangements in your Province are satisfactory and that Indian Civil Service officers are trained as Sub-Judges in the first instance. Then in your answer to question (64) you rather seem to say otherwise. Could you tell us actually what takes place?—Now-a-days an Indian Civil Servant is appointed a Subordinate Judge and powers are given to him to try cases from Rs. 1,000 to Rs. 2,000 or Rs. 3,000, and he gets a certain amount of experience. He is kept in charge of such work for a year or two, and then, if there is any vacant post of a District Judge, he is appointed a District Judge of a small place, and there also he gets a certain amount of training, because the work in the small districts is neither so heavy nor of such a very intricate character. He gets some training there, and then is appointed to the post of a Sessions Judge, or in the Central Provinces a Divisional Judge.

35984. So to that extent he gets a certain amount of judicial training?—Yes.

35985. Then you say you would put all Indian Civil Service officers who join the Judicial Branch through a course of training in the Legal Remembrancer's office. What particular training would they obtain in that office?—If he is appointed as Subordinate Judge and is made to do the work of a Munsif, then probably that will not be necessary. I would be satisfied with the training which he might receive as a Subordinate Judge and a District Judge of a small place. Before his appointment as a Subordinate Judge, if he is made to work in the office of the Legal Remembrancer, he will be more fit for the work of a Subordinate Judge, because for some months he is at a loss to understand what he has really to do and what will be the correct procedure as well as the Law. He is

led by the Pleaders and his position is not quite so comfortable for some period. He soon picks up the work. If he is made to work in the office of a Legal Remembrancer, I think his position would not be as I have described it; he would be better-off.

35986. You think his training in the office would be of a practical character and not merely perfunctory?—Yes. He will know how to prepare a brief in the office and what are the necessary elements; he will know exactly what the position of the Pleaders who appear before him is, and what ought to be done when cases have to be put up, and how they are to be understood.

35987. He will find himself more on a position of equality with the Bar than he would otherwise be?—Yes.

35988. In your answers to questions (4),(12) and (31) you complain of overwork. Could you tell us in what class of appointments the strain of work is most felt?—I think in our Provinces from the bottom to the top the work is very heavy. From the Munsifs up to the highest Judicial appointment we are all overworked. The staff is not adequate at all, and the work with which we have to cope is of a more elaborate and intricate kind on account of the progress all round, the ability of the Pleaders and the obstinacy of the parties. Every point in a case is contested, and whatever issues are framed, evidence on those issues is given to such an extent that we feel ourselves almost harassed at times. In the olden times the cases were not contested so much, but now-a-days each case is contested right up to the end.

35989. Would you describe your community as possessing a fine litigious faculty?—I think in some cases they are justified in securing the finding of the highest Courts and doing their best.

35990. Has the amount of litigation increased considerably of late years in this Province?—It has.

35991. Have increases been made in the staff of the Judiciary in the different grades to meet that increase?—Yes, some increase.

35992. When was the last increase?—In 1904.

35993. You propose an increase of 25 per cent. in the Provincial Judicial Service. Could you tell us what additional appointments you would suggest?—I would suggest the appointments of some additional District Judges and also some appointments in the higher grades.

35994. Have you thought out at all how many you would appoint?—I have not thought out any regular plan.

35995. You are not prepared to give any particular number?—No. That would be according to the requirements.

35996. You would have an increase of additional District Judges?—Yes, and then some more posts from the Rs. 500 grade to the Rs. 800 grade. There are very few posts in the Rs. 500, Rs. 600 and Rs. 700 grades and only two in the Rs. 800 grade. I should like therefore to have more posts in the grades from Rs. 500 to Rs. 800. I have also proposed an increase in the salary of the top grade, from Rs. 800 to Rs. 1,000.

35997. Then you advocate the recruitment of the Provincial Service through a system of combined nomination and examination, the nomination to be confined to specified persons, with additional qualifications. Who would be the nominating authority?—I do not think I have recommended nomination anywhere. I only say that in connection with certain posts, which should be reserved for persons of very good families, there could be nomination if the qualifications are equal.

35998. That requires some form of nomination?—To that extent I have recommended nomination.

35999. That is why I ask you what form of nominating authority you would suggest?—I would look at the status of the family to which he belongs.

36000. That is the qualification. What would be the body to undertake the nomination or selection?—I would recommend that the Chief Commissioner or the Administration should keep it in their hands. I do not recommend any special body.

36001. You would not favour the suggestion made to us that a Board should be created consisting of Government representatives and non-official members?—I do not recommend a Board anywhere. I would leave it in the hands of the Administration of the Provinces. I would only have it so far as members of very high families are concerned, and if the qualifications are the same.

36002. You would not confine your choice to those, would you?—Nomination only to that extent.

36003. And for the rest?—University qualifications, and if Pleaders are appointed as Munsifs or Subordinate Judges I would take the length of time they have been practising and the certificate they obtain from the District Judge, and such things.

36004. You would nominate a certain number of representatives of high families with certain additional qualifications, and the rest of the recruitment would be by examination?—No. I do not approve of any special examination, because people coming from the University and practising so many years as Pleaders will be taken into the Service here. They are being taken now and they would be taken then. If they are taken from the Bar there will be no necessity for any special examination; they will have their University qualifications, and their practice at the Bar should be sufficient to make them eligible for appointment in the Judicial and Executive Branch.

36005. You ask also for certain improved prospects for the Provincial Civil Service. You would list more posts?—Yes.

36006. And create a grade of Rs. 1,000?—Yes.

36007. And you would lay down that the Rs. 500 grade should be reached in ten years?—Yes.

36008. Would you place a bar at that grade and have selection for efficiency beyond that?—Yes, I should think so.

36009. In your answer to question (26) you seem to prefer the graded system of promotion to the time-scale?—Yes.

36010. That is for the higher posts?—Yes.

36011. What advantage do you see in the graded system over the time-scale?—The time-

scale is only an alternative and not a very satisfactory one.

36012. What are your reasons for preferring the graded system? The time-scale is more regular, is it not?—Yes.

36013. What are the objections to it?—I have not thought over that question. I do not think I should be able to answer it properly now.

36014. But does not a time-scale remove a block more effectually than an improved graded system?—I have proposed it because there is a block in the Service. If there are more posts created from Rs. 500 to Rs. 1,000 probably there would not be any block and the time-scale proposal need not be adopted. Then we shall have the graded system.

36015. Do you mean the time-scale need not be adopted up to Rs. 500?—It should be. There are in the Rs. 400 grade a sufficient number of posts, but above Rs. 400 the posts in the higher grades are very few.

36016. You would increase those posts in the various grades and you believe that that will remove the block and will be more satisfactory than the time-scale?—Yes.

36017. You make certain proposals with regard to improvements in leave and pension, and you suggest that the privilege leave which is permissible to Judicial Officers on half-pay should be in addition to the one month's summer vacation, and should be converted into privilege leave on full pay. How much leave would that be in a year altogether?—Two months.

36018. Two months' leave each year on full pay?—Yes. We have already got one month's vacation in the summer.

36019. What pay do you get during the summer vacation?—Full pay.

36020. And you would like to see privilege leave combined with vacation leave on full pay, which would give you two months a year?—Yes.

36021. You would be getting by that considerably better leave terms than the other Branch of the Service?—I am not aware of the leave rules of the other Branch, but I think the Judicial Branch of the Service ought to have that leave on account of the strain it has to bear.

36022. Do you find that officers take full advantage of their vacation every year?—They do.

36023. Do they go away for a change?—Yes.

36024. But you do not think that is sufficient change and rest for them?—It is not sufficient, and the vacation leave is at an inconvenient time and when it is very hot. If we want to be comfortable we have to stay at home and make our house comfortable for ourselves. If we go out we expose ourselves to much inconvenience and heat unless we go to the hills, which we cannot afford to do with the salary we get.

36025. Am I right in inferring that you would put the improvement of pay first?—Yes.

36026. Which would you put second, improvement in leave rules or improvement in pension, if it were a question of alternatives?—Improvement of pension would naturally follow improvement in pay.

36027. Supposing it did not naturally follow and it was a question of your being offered one or other of those improvements, improvement in leave or improvement in pension, which on the whole would be the most acceptable to the Service?—I would put them in the order of the improvement in salary and pension.

36028 (*Lord Ronaldshay.*) Arising out of the answer you have just given to the Chairman, your pension in the Provincial Civil Service is a fixed proportion of your pay, is it not?—Yes.

36029. So that if your pay is increased your pension must be increased at the same time?—Yes. I understood the Chairman to refer to some change in the period of pension. I propose twenty-five years instead of thirty.

36030. (*Chairman.*) I was alluding to your answer to question (40).—A man should be allowed to retire on medical certificate after twenty years' service; that is what I mean.

36031. (*Lord Ronaldshay.*) In your answer to question (22) you say a variety of circumstances have contributed to make the Provincial Government Service not quite so attractive to the best minds amongst educated Indians as it used to be. Do you mean that at the present time a brilliant young Indian student would probably prefer to seek a career in some profession rather than in the Government Service?—Yes; I should think he would consider the Government Service as the last chance for him in life.

36032. That is putting it very low, is it not?—No. It is on account of the low salary, the hard work, and the very remote prospects of going to the end of his Service and getting a pension.

36033. When you say a man has a very slight chance of getting to the end of his service and obtaining a pension, what exactly do you mean?—I mean that if he can get on as a lawyer he will practise as a lawyer. If he can get Rs. 100, instead of taking over an appointment at Rs. 130 as a Munsif he will practise at the Bar; but if the prospects of the Service are bettered by raising the salary to Rs. 200 then I think he will seek a chance of the Service first. He will not think of any other occupation, but will at once apply to enter the Service. As matters stand at present, the best chance he can secure in the Service is that of the post of a Munsif at Rs. 125.

36034. That is really not an answer to my question. I understood you to say that a man entering the Provincial Civil Service now had a very small chance of serving his full time and getting a pension. Do you mean that men die before they reach the pension age?—That is very clear I think from the facts. I have often found that people in the Judicial Branch do not reach the age when they get their pension. Some of them die prematurely; some of them linger on with some complaint or other, and they hardly ever reach the age of pension, because the present age for pension is 55.

36035. Have you got any figures which would substantiate that statement?—Yes, I think I could substantiate it, but I think the facts are clear and require very little substantiation.

36036. You are of opinion that the Service should be made sufficiently attractive to secure the services of the best minds in India: that is your definite opinion?—Yes.

36037. Why do you object to the term Munsif?—Somebody the other day remarked that he objected to the word "Extra" in Extra Assistant Commissioner, and I have no better grounds for my objection to the term "Munsif."

36038. You thought you would like to get quits with the Executive branch of the Service? But is the word "Munsif" one which carries any derogatory meaning with it?—It ought not to.

36039. But you think it does?—As it is the smallest appointment in the Judicial line it has been understood in a very peculiar way. It is almost a slur upon the men who are Munsifs that they do not belong to the Provincial Service but to the Subordinate Service.

36040. If Munsifs were included in the cadre of the Provincial Civil Service, then you would have no objection to their being called Munsifs?—I should not be so unreasonable as to object to it simply on the ground that it has a particular name, if their chances and prospects are fairly good.

36041. You refer to two methods of assisting Indians into the superior Service, first to the suggestion of holding simultaneous examinations, and secondly, to the suggestion of giving scholarships to enable Indians to go to England with a fair chance of passing into the Service through the English door. But I am not clear in my mind from the answers you have given to questions (1) and (8) which of those two methods you prefer. In answer to question (1) you say that simultaneous examinations if introduced into India will in your opinion enure to the benefit of the country, and when I read that I thought your preference was for simultaneous examinations. Then in answer to question (8) you say that if a sufficient number of scholarships are placed at the disposal of Indian Universities you would consider that London was the only centre of the Empire where this examination should be held. Which of those two proposals do you really prefer, or have you any strong preference for one over the other?—I anticipated this question. I think I am a little wrong in putting it that way. I proposed 24 scholarships only as an alternative. I was not quite confident of the introduction of simultaneous examinations in India, and in that mood of despondency I proposed two dozen scholarships as a very speedy solution, at least for the present, and that is why I have put it in that way. I do not think I put it as I should have desired.

36042. (*Sir Theodore Morison.*) The Munsif in these Provinces is an LL. B.—Yes, nobody else is appointed as a Munsif.

36043. Do you know how many B. A.'s are produced in these Provinces every year?—I could not tell you the exact number.

36044. Is it very large?—I think it must be nearly 50.

36045. How many appointments of Munsifs are there made every year?—I think about 5 to 7, but I am not sure.

36046. How many B. L.'s are there every year?—I think about five to seven, but I am not sure.

36047. I am afraid that will not do, as otherwise they would all become Munsifs and you would have no Pleaders?—Outsiders also have to be taken when men are not available here. Candidates from the Bombay Presidency and the Calcutta University have to be taken here.

36048. Is that because you do not produce a sufficient number of B. L.'s in these Provinces?—That is not the only reason. Those who are produced here find it more convenient to practise because they think that being local men they stand greater chances of success in practice. Therefore they generally decline to take up the appointments of Munsif.

36049. A certain number go into the Law?—Yes.

36050. Is the Bar very congested here?—At present it is.

36051. Are the chances of making a livelihood at the Bar very good in the Central Provinces?—No.

36052. But they are better than the chances of the poor Munsif?—I think so, and that is what the youngsters always say. They say that instead of working for eight or nine hours from morning till night as a Munsif it is better to earn Rs. 100 or Rs. 150 with comparatively little work.

36053. Do the Pleaders do comparatively little work?—Yes. I am giving you the honest opinion of some of the youngsters at the Bar.

36054. What other careers besides the Bar are open to them in the Central Provinces?—I could not suggest any other profession they could take to.

36055. If a young B. A. comes to you and asks your advice, what profession do you suggest to him?—Until now I have been advising him to enter the Law, but finding that the field is getting crowded I advise him to go to the Commercial College or to some technical special branch.

36056. Does he take your advice?—One or two have done so.

36057. Is there a career there for these young men?—Yes.

36058. In answer to question (6) of the Provincial Civil Service you have recommended that special consideration should be given to certain families owing to their hereditary traditions of past services to the Administration. I have heard it said in private conversation that there is no record of a man's service in the Administration. Do you endorse that?—I could not positively say, but there are many officers who must know the past history of the family.

36059. But supposing the good services were done three generations ago, what has he to show then?—People can easily be asked to recommend the family, and full information can be given to the Administration. If it is a respectable old family there may be good friends of that family in the Services, and they may be able to give full information.

36060. Of course if it is a very old family it has no doubt some *firmans;* but are there any such *firmans* given by the present Government?—No.

36061. (*Mr. Madge.*) You have set your heart on securing simultaneous examinations, but do you think that in the present state of Indian education you would have any successful candidates, for some time?—I hope that there will be successful candidates, and if restrictions and limitations are not imposed, and equal chances are

given to the Indian students along with the students appearing in England, there will be.

36062. What restrictions and limitations can you expect if the system is introduced as a public necessity?—Then I have nothing to say.

36063. Do you think that under the present state of Indian education there would be many or any successful candidates?—I think there will be, but I cannot say there will be many. In course of time probably the system will develop as elaborate a machinery for preparing students in India as it has in England.

36064. I put the question because in reply to the fear that the Service would be swamped many have told us that for a long time there would be no successful candidates at all, but that the thing is demanded because it would satisfy a certain sentiment in the country. You do not agree with that view?—I do not believe in the argument that the Service will be swamped, because I think we should feel confidence in the capacity and ability of English students to compete with Indian students. They will hold their own against the Indian students, and I feel confident in their ability and capacity to do so.

36065. It is thought necessary by a great many people that a strong British element should be maintained in the country?—I quite agree with that.

36066. On the other hand fears have been expressed that the proper proportion, whatever that may be, of the British element would be reduced by simultaneous examinations, and it has been said on the other side that it would not be, because there would not be many, if any, successful candidates. What is your opinion on that point?—I do not think the Service will be swamped. If it should happen that it is, arbitrary checks can be put upon it and the percentage can be regulated.

36067. But I thought from what you said about the imposition of restrictions and limitations you would rather object to arbitrary checks?—No. So far as the examination goes I would like to have the same papers in England as here.

36068. You do not think that such examinations in this country would react unfavourably on education generally, considering the present tendency of working up for examinations rather than for education?—I do not think so.

36069. You would have still the open door in London?—Yes, of course.

36070. Do you think that candidates should be sent to England early or late in life?—I have given the ages, from 22 to 24.

36071. You do not share an opinion that has been expressed that it would be better for men to go much later in life when their faculty of observation is developed, than to go at the comparatively early age you mention, when they are more impressionable and may be evilly affected by conditions alien to their own social system?—No.

36072. In answer to question (62) you say a quarter of a century ago the Indian Civil Servant was really the father of his people, not only of the lower classes but also of the higher classes committed to his charge, and you also say there has been a great increase of litigation in recent years, each case being contested as it were to the bitter end. To what cause do you attribute this great change?—I think that is due to the people having begun to understand their own legal rights as well as their improved, or deteriorated, condition, as the case may be. Probably it is due more to their acquaintance with their legal rights. In the old days people did not like very much to enforce their rights in Courts, and they either waived their rights or compromised; but now-a-days they enforce their rights through the Law Courts. There is a tendency that way.

36073. But the proper appreciation of your own rights need not lead to your doing wrong. You can hardly think that the fighting out of a case to its bitter end is of necessity a right thing to do. There must be a cause to promote this influx of litigation?—I could not say what the real cause is, but that is what I understand it to be.

36074. We have had it said that we are going along too fast. You do not think the reign of Law is being introduced too fast in substitution for the state of things when the civilian was the father of his people?—No.

36075. (*Mr. Fisher.*) You propose to put the Munsif into the Provincial Civil Service and you would also wish to see the Tahsildar in the Provincial Civil Service?—I should like that.

36076. Do you think the Tahsildar ought also to change his name for some more convenient appellation?—I am not very particular about it.

36077. He can keep his name?—Yes, so long as he gets the salary. On the Bombay side he is a Mamlatdar and here he is a Tahsildar. He has to be called something.

36078. (*Mr. Sly.*) In answer to question (38) you have given us a list of posts which you think could with advantage be listed as reserved for the Provincial Service. Do you think that that is the most suitable method of meeting the aspirations of the Provincial Service officers, or do you consider that instead of listing particular posts it would be a suitable solution to promote Provincial Civil Service officers into the Commission and allow them the ordinary privileges of Commission officers?—I should like them to be regularly listed. Your suggestion would be dependent on mere chance. The posts should be listed and reserved specially for the Provincial men.

36079. I do not know quite what you mean by depending on chance. Supposing instead of listing certain definite posts it was stated that a certain proportion of Provincial Civil Service officers should be recruited into the Commission. They would start either as Deputy Commissioners or District Judges, and would be on the same list, with the same pay, the same privileges, and the same chances of promotion as the others, and would go up in the ordinary way. Do you think that would be an alternative preferable to listing individual posts?—No, I do not think it would be preferable.

36080. You prefer to have certain definite specified listed posts outside the ranks of the Commission?—Yes.

36081. In regard to your proposal to place Munsifs into the Provincial Civil Service, will not that lead to difficulty in regard to the position of Tahsildars?—I have considered the question and I think if the two Services have been

separated altogether I do not see why the difficulty in the way of the Tahsildars should in any way stop the progress of the Munsifs in the Provincial Civil Service.

36082. But in that case you would have a Munsif a member of the Provincial Civil Service, but a Tahsildar, of similar pay and at present of similar official status, would be a member of the Subordinate Civil Service?—In my opinion he ought to belong to the Provincial Service.

36083. A Tahsildar also?—Yes. It would be no argument to say that because a Tahsildar cannot be a member of the Provincial Civil Service therefore a Munsif should not be made a member.

36084. If you put Tahsildars into the Provincial Civil Service what becomes of Naib-Tahsildars; do you want to put them in too?—I think that is beyond my scope.

36085. You have not considered that?—No.

36086. In another answer you have suggested that Provincial Civil Service officers should be exchangeable with Clerks of Court, etc. Do you not think that would create difficulties in regard to exchanges between the Ministerial Service and the Provincial Judicial Service?—That would be only a matter of training purposes.

36087. But if you put Provincial Judicial officers into the post of Clerk of the Court, do you not damage the prospects of the Ministerial Service?—It would have that effect.

36088. Do you recommend, as a compensation, that Clerks of the Court should be brought into the Provincial Judicial Service?—No.

36089. Then the benefit that would accrue to the Provincial Service would be at the expense of the Ministerial Service, would it not?—I anticipated this difficulty, but no solution suggested itself to me. It is a difficult point to solve and I would not venture to give any answer.

36090. (*Mr. Standen.*) You told Sir Theodore Morison that you thought a good many members of old families might not be able to produce any record of the services of their people; but were not certificates of good service given on important occasions, such as the Proclamation of the Queen as Empress of India, the Durbar at the Accession of King Edward VII, and at the recent Durbar of 1911?—Yes.

36091. Is it not the case that if you find any old family that has rendered good military service they always have copies of papers, generally printed copies, of their services rendered?—Yes.

36092. Do you think that if the posts in the Provincial Service of Bombay were thrown open to residents of the Marathi districts of the Central Provinces and Berar, the residents of those districts would feel it any hardship if Bombay men were allowed to compete for the Central Provinces appointments?—I think restrictions have been imposed.

36093. They are imposed at present, but do you think any hardship would be felt if recruitment was made mutually from the two areas?—The people of the Province would suffer.

36094. But supposing it were by competitive examination, do you think they would suffer?—I am against introducing any competitive examination.

36095. Even for the Provincial Civil Service?—Yes.

36096. (*Mr. Thakur.*) Have you properly understood the difference between the graded service and the time-scale?—I suspect I have not understood it properly.

36097. By the time-scale an officer who had passed a certain amount of time in one grade would be entitled to enter into the next grade. Would not that system do away with the congestion of promotion in the Provincial Civil Service?—Yes, I think it would.

36098. If that removes the block in promotion, would you prefer the time-scale to the graded Service, unless, of course, there is some better method advocated?—I would be in favour of a time-scale in that case.

36099. Have you any suggestion to make by which the graded Service can remove the block in promotion?—I hope it will remove the block to some extent.

36100. A time-scale will, but supposing the graded Service is kept can you make any suggestion by which the block in promotion will be done away with?—I have already proposed more posts in the grades from Rs. 500 to Rs. 800, and also in the lower grades. That will to a certain extent relieve the block. The other remedy will be a time-scale, I think.

36101. But if officiating promotion from one grade to another is allowed, will not that remove some of the block in promotion?—Certainly it will, but the person officiating ought to get the emoluments.

36102. If the graded system is retained you consider there should be officiating promotion from one grade to another?—Yes.

36103. In speaking about pension you said that when the pay is increased the pension will naturally increase. Is there not a certain maximum of pension?—Yes.

36104. Do you not think that if the pay is increased the maximum pension also should be increased?—Certainly.

36105. If your Service has another grade of Rs. 1,000 added to it, what maximum pension do you think it should get? What is the present maximum?—Rs. 5,000.

36106. At present your maximum pay is Rs. 800?—Yes. The pension ought to be Rs. 7,000 at least.

36107. Would you be satisfied with half the higher grade pay?—It all depends upon the position of the pensioner. If a gentleman occupies the position of a Sessions Judge, and is to be restricted only to a pension of Rs. 5,000 a year, it would not suit his position. He ought to have more, and I think some change is necessary to that effect.

36108. Your dislike of the term "Munsif," I suppose, is on account of the association of the idea of inferiority with the name?—Yes, mostly.

36109. And you have in view the Bombay nomenclature, where the Subordinate Judges are in the Provincial Civil Service?—Yes.

36110. You would like to have Subordinate Judges of the first grade and Subordinate Judges of the second grade instead of Munsifs?—Yes.

36111. In view of the listed posts being open to the Provincial Civil Service, do you not think that if appointments are made to the Rs. 200 grade, unless there is some special promotion, the officer will reach too late the post of District and Sessions

Judge or Deputy Commissioner?—Yes; I do not think he will ever reach the position.

36112. What remedy would you suggest to enable them to reach the listed posts at a comparatively early age?—Special selection I think.

36113. In one of your answers you propose that Munsifs should be appointed Clerks of Courts for the sake of gaining experience. Do you think that a Munsif as a Judicial officer will not object to being appointed to a Ministerial office? Is there anything derogatory implied in that?—There is, but it is just the same when an Indian Civil Servant is appointed a Subordinate Judge or made to do the work of a Munsif. That is only for training. To some extent it is derogatory, but it is only for the purpose of training the officer, and is intended to be an advantage to him when he holds the position of a District Judge. If in the earlier part of his service he is given the advantage of that experience I think he will turn out a better District Judge.

36114. Do you not think when an officer doing Judicial work is made to take a Ministerial appointment there would be something derogatory in it?—I do not mean he is to take a Ministerial appointment, but only to pick up the duties.

36115. He would still remain a Munsif in his appointment?—Yes.

36116. Cannot he pick up the duties by looking after the ministerial work of the Courts?—That only forms part of the general work. I mean the office work.

36117. By being put in charge of Ministerial Departments at certain intervals it would make him learn the work at headquarters?—That would be another method.

36118. Which would you prefer?—The one you have just proposed.

36119. You were appointed direct to the Provincial Civil Service?—Yes.

36120. How long did you take to reach the present grade?—Twelve years, and I have been in the Rs. 400 grade since 1907.

36121. Were there any re-arrangements of the Service during this interval?—Twice; that is why I got the chance.

36122. That accelerated your promotion?—It did.

36123. Do the Munsifs that have now been appointed expect to get the comparatively rapid promotion you have been fortunate enough to get up to now?—I do not think so.

36124. You have spoken of the strain of the work. When do you go to Court?—We start at 10-30 and begin at 11. After office we work for an hour or three-quarters of an hour by taking up case work.

36125. When do your Courts close?—The time for closing is five, but to wind up business in the evening we have to work until twenty minutes past or even half-past five.

36126. How is your time in Court occupied?—In recording evidence and taking statements mostly. We can hardly do any other work.

36127. In these Provinces a Judge has to record the statements of witnesses with his own hands?—Yes.

36128. Has he to interpret it also to the witnesses?—It has to be interpreted.

36129. In order to certify its having been done?—Yes.

36130. Does this system take a good deal of time in Court?—Very much more time than it ought to take.

36131. Does it not tire the Judge to be writing for six hours taking down evidence?—I should use the word "exhaust" him.

36132. In the United Provinces the Judges simply take notes and the *verbatim* evidence is recorded by a stenographer or reader. Would not that save time and labour?—Yes; I proposed it to my Judicial Commissioner and I think it would be acceptable. That system gives much relief to the Judge and ought to be accepted in these Provinces.

36133. Will the record be as reliable as it is now?—I should say more reliable.

36134. Will the evidence be recorded better than by the Judge?—Of course.

36135. After Court hours have you also to do Judicial work?—Yes, night and morning.

36136. What work do you do?—Judgment and Order work.

36137. Do you not find time to write judgments in the Court hours?—Hardly ever, unless we reserve certain days of the month for judgment work.

36138. Is it possible for you to reserve such time in any month?—On a very few days; hardly ever.

36139. What part of your time at home is occupied in writing judgments?—From 9 o'clock to 12 o'clock at night. Not every night, but most of the nights of the month, or even 12-30. In the morning we work from 7 to a quarter to 10.

36140. Do you consider this easy work?—Far from it. It is very hard work, and that is why I have put my answers in a more emphatic manner. The work is very hard, and I have recommended a certain percentage to be added to the list already prepared by the administration. The number of Munsifs and Sub-Judges, and higher grades also, should be increased by 25 per cent.

(The witness withdrew.)

MORO RAJARAM DIXIT, Esq., Barrister-at-Law.

Written answers relating to the Indian Civil Service.

36141 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—Though ideally not the best, it is practically the best test. For selection howsoever carefully made must necessarily carry with it to a great extent the accompanying evils of favouritism and partiality. Besides, a system which has worked so satisfactorily for the last 60 years cannot be assailed on

the ground that competition fails to test the character and administrative abilities of the competitors. It must be an exceptional piece of chance that the selected candidates have so far been of good qualifications in the above unexaminable characteristics. The system of recruitment by open competition I heartily approve of.

36142 (2) In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—This reply includes replies to questions (3) and (6). The system is faulty in that it is by competition only in England. I would recommend simultaneous examinations in England and India with the same papers, the same examiners, and a combined list. The one unfortunate result of the present system is the shutting out of the bulk of Indian talent. Indian talent has been proved to be as good as any other talent in the domain of the liberal arts and sciences. Poverty and talent are generally so fond of each other that it is only in exceptional cases that the one is divorced from the other. Besides this, the unwillingness of many parents to take risks about the chances of their boys' mental or social careers, and the peculiar dread that the majority of Indians have of their pet ones getting addicted to certain vices, *e.g.*, drinking and meat-eating, are also greatly responsible for the extremely rare number that appears for the open competition in England. Indians have been uniformly complimented on their reputation for passing examinations. And consequently a great deal has been recently heard about the swamping of the Indian Civil Service by the Indians. My own impression is that even with extended facilities for higher education, Indians cannot swamp the field to any appreciable extent. Moreover, on general grounds, Indians have a right, at least in India, to represent the Civil Service to an equal extent with the Britishers. Of course, we can never claim, situated as we are, even the semblance of a right to offices in other countries. Under these circumstances, from the Indian's point of view, a complaint and fear of being swamped by the Indians comes awkwardly from the Britishers.

36143 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—*Vide* reply to question (2) *supra*.

36144 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services, with that for the Indian Civil Service, is or is not to the advantage of Indian interests? Please give your reasons?—The combination was at one time no doubt for the benefit of India's interests as it enabled the choice to be made from a larger circle. But considering that sympathetic administrators and officials alone can make the British rule permanent on the foundations of contentment and good-will of the Indians, I think it undesirable that the Indian Civil Service should be recruited from those Colonies which display a marked prejudice against the Asiatics or more especially against the law-abiding and peaceful Indians. Even a small admixture of these Colonials in the Civil Service will very soon affect the whole body with this unwholesome spirit, and thus the realization of the ambition of the British Government—a consummation devoutly to be wished—would be farther removed than ever.

36145 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—*Vide* reply to question (2) *supra*.

36146 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I am not in favour of a separate examination, as it will tend to accentuate invidious distinctions, which should be avoided in the interests of good government.

36147 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—Yes.

36148 (11). Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—We have it from members of the Covenanted Service that junior members of their service with no knowledge of law are appointed to sit in judgment on appeal on the work of the Provincial Service men of even twenty years' experience: we have it also that the Indian Civil Service officers are left to pick up their knowledge of law as they go along: also that these officials are out of touch with the Bar, with whom the British system requires them to work in co-operation. Several of these officials have even advocated that the Indian Civil Service officials (in the judicial line) should be given study leave out of India, supplemented by extra money allowances to enable them to read in chambers or even to get called to the Bar. This evidently argues a fixed determination, amongst some of these officials, to get every kind of work done through the Indian Civil Service and Indian Civil Service alone. The Judicial Branch is, like the Public Works Department or the Medical, a technical branch: and mere general competency is not sufficient to discharge judicial duties without sound knowledge of law. Without entering into the fierce controversy that raged about the comparative merits of the Barrister and Civilian Judges, I would strongly recommend for the sake of more efficient administration of justice the recruitment direct from the Bar and by promotions from the Provincial Civil Service, 50 per cent. from each of the above sources. I should, however, expect a leaven of British element at the very top in this line. The arrangement suggested above will have the additional advantage of satisfying the legitimate demands and aspirations of the educated Indians.

36149 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any persons born and domiciled within the

Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—The word Native is not *per se* at all unpleasant. It is the abuse of the word that is responsible for much of the irritation that is caused. Any other word substituted for this would very soon acquire the secondary and distasteful meaning. What is in a name after all. The word Native of India should in my opinion be so defined as to include people of mixed or unmixed Indian descent. This definition will have the advantage of excluding that class which, for the privileges and advanatges concerned, calls itself Statutory Native, but otherwise strongly resents the appellation.

36150 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—About 25 years.

36151 (15). What age-limits for the open competitive examination in England would best suit candidates who are Natives of India and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India and for other natural-born subjects of His Majesty?—21 to 23 years. Placing it earlier would be disadvantageous to the Indians. No differentiation in ages is necessary or advisable.

36152 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—I would suggest the addition of the vernacular languages of India as subjects for the open competitive examination. As it is, French, German, Italian are given 600 marks each, so Hindi, Marathi, Bengali, Tamil, Telegu and Persian should be added, with a proviso that not more than two of these vernacular languages could be taken up by any competitor. Sanskit and Arabic should have more marks assigned to them to bring these in a line with Greek and Latin. Indian History should also form one of the subjects, as its importance cannot be too exaggerated for those who are destined to rule over India.

36153 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates?—No.

36154 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might, under present conditions, properly be admitted?—Yes. Pure ideas of philanthropy have never ruled in the domain of practical politics. But as far as History can show us, *e.g.*, enfranchisement of the slaves, we know in our heart of hearts that the British are the only nation that will put into practical politics at least some ideas of philanthropy. Should the Government so desire, a fixed minimum should certainly be conceded if only as a visible symbol of British sovereignty. The exact percentage is a matter of great complexity.

36155 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—That part which is recruited by special arrangement in India has so far worked satisfactorily. But the proportions fixed have never been realized. For out of 104 we have only 5 Indians (including Berars). In Central Provinces out of 93 we have only 2 Indians. But the best intellect amongst the middle and poor classes have not under this system reasonable chances of getting into the service. The principle, however, is distinctly satisfactory, and for this we Indians are grateful. If the number of such prize appointments is increased, it will attract many able men into the Provincial Service; the promotions should, however, be made a little earlier than now.

36156 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—No.

36157 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one quarter of the listed posts?—The proportion may be increased to one-third.

36158 (26). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—Yes.

36159 (27). Is the class of posts listed suitable?—Yes.

36160 (28). Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—The system has so far given Indian members as good as the European members of the Service. Looking at this subject from every point of view I find the Indian Civilian better behaved towards the Natives of India than many European members of the Service, the efficiency of the administration being maintained in either case at the highest level. Of course, even amongst the European members of the Service there are a few officers who are in every way as good as, if not better than, the Indian members of the Service.

36161 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service? Yes.

36162 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No, except for the European members of the Service, who should be trained in one vernacular at least.

36163 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—Two years' probation. I should strongly suggest the formation of a central training institution, located either at London, Cambridge or Oxford, for the probationers. This institution would be the means of engendering good feeling between the officers and would be of advantage to both Europeans as well as Indians. Given a common residence, common studies, and common ambitions, there is bound to be more feeling of mutual respect and esteem between them. The period of probation now spent at a 'Varsity cannot, I believe, be properly utilized. For, as has been well said, they are in the 'Varsity but not of the 'Varsity. They are looked upon as a sort of superior persons even in the 'Varsity, and in the nature of things have nothing in common with the ordinary under-graduate. The above scheme will have advantages—for the Indians in that it will familiarise them with British character: for the Englishmen in that it will acquaint them with the Indians' manners and customs.

36164 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—No.

36165 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—Yes.

36166 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—Yes. There is no doubt a serious attempt made on the part of the Indians to meet the difficulty. But no corresponding effort is generally made by the members of the Service. The causes of this deterioration are:—(*a*) facilities for spending leave out of India; (*b*) greater knowledge of English by more Indians; (*c*) the generally exclusive lives led by officials in their own atmosphere—characteristic of the 'Varsity type of Englishman. But latterly amongst the minority of the officials a change is certainly noticeable and attempts are being made, *e.g.*, by starting of mixed clubs and the National Indian Association; but being in the initial stages, it is not possible to know how far they would achieve the object. The knowledge of vernaculars should be encouraged by higher prizes, stricter departmental examination, and by making promotions dependent upon such examinations.

36167 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty?—No.

36168 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent?—No.

36169 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—Have not studied the subject and therefore am not prepared to venture an opinion.

36170 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the Service?—About the pay given to Indians, I am afraid that amongst the educated classes at least the general standard of life has gone high. The Indians have generally to keep dual establishments and dual expenses to suit their position in life both amongst the Indians as also the Europeans. There should therefore be no differentiation in the rates of pay. The joint Hindu family is a decidedly worse drain on the slender purse of the Indian than relations in England can be to the European Civilian.

Written answers relating to the Provincial Civil Service.

36171 (51). Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The general conditions are quite satisfactory except in two particulars. *Rule 6.* The general prospects of the average Provincial Service man are not at all attractive to pure Europeans of the right stamp. Besides, the advent of a European naturally raises a fear of the blocking of promotions and prize appointments to the men in the lower rungs of the ladder. *Rule 8* is more honoured in the breach than the observance.

36172 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your Province suitable, or have you any recommendations to make for their alteration?—Reply to question (56) is also included in this. The present system is one of nomination pure and simple. Nominations generally are open to the suspicion of unconscious bias. Since 1903, within the last ten years, I find in our provinces in the Extra Assistant Commissioners, altogether 59 appointments made, 45 being promotions from the subordinate services and 14 being direct appointments. Amongst these direct appointments

there are only four with any legal qualifications at all. I wonder if the non-inclusion of legal qualifications is due to the wrong impression that legal training weakens executive action. Considering that criminal cases are mostly tried by Extra Assistant Commissioners, legal qualifications at least as far as the direct appointments are concerned should be insisted upon. Besides, it cannot fail to be observed that the promotions from subordinate services are invariably from men with no legal qualification whatsoever. In the 45 promotions mentioned above, 26 are not even graduates in arts, only three being law graduates. In the Subordinate Judges there have been altogether 16 appointments within this period, 13 being promotions and three direct appointments. I would, therefore, suggest in the first place:—that for the Provincial Judicial Service, whether criminal or civil, the recruitment should be half by competition and half by promotions from the lower services. As far as purely executive officers are concerned, I would leave the selection to be made as at present with the proviso that law graduates should get preference; for knowledge of law brings a certain fair and impartial training and a respect also for the constitution. Coming to the details I find the Provincial Civil Service commences on the

Civil Side.	Rs.	Criminal Side.	Rs.
Sub-Judge 17 at	300	E. A. C. 12 at	200
Do. 17 at	400	Do. 14 at	250
District Judge 5 at	500	Do. 24 at	300
Do. do. 5 at	600	Do. 24 at	400
Do. do. 3 at	700	Do. 14 at	500
Do. do. 2 at	800	Do. 6 at	600
		Do. 3 at	700
		Do. 2 at	800

The Rs. 200 and Rs. 250 grades in Extra Assistant Commissioners are anomalous, as the Tahsildars, their subordinates, draw pay up to that extent. The point one notices in this is the larger number in the corresponding grades of the Extra Assistant Commissioners, which necessarily means rapid promotions, whereas in the Civil Departments promotions, it is well-known, are blocked. In the Punjab, where the number in the Judicial service is the same as in our provinces, there are 12 at Rs. 500 while we have only five. In Burma it is eight at Rs. 500. I would strongly suggest our number in the grades increased. For it is a notorious fact that our Civil Judges are over-strained, many of them in ruined healths and shattered constitutions, the result of excessive sedentary occupation. I would also suggest that the District Judges grades should go up to Rs. 1,000, as also the Extra Assistant Commissioners. The small number of posts in the higher grades, and the slow promotions consequent to that, actually discourage persons from entering the services, unless prospects of promotions are facilitated. This is only feasible by a time-scale of promotion, say an increment of Rs. 25 per month per year.

36173 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the Province to which it belongs?—Yes.

36174 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—The principle of class representation is no doubt very alluring. But it is not advisable in the interests of good government to mar the efficiency of the service by making any arrangements for giving them a definite share. The influential minorities should most certainly be encouraged and trained by a judicious sprinkling of scholarships, as also by preferring the duly qualified amongst them for direct appointment. With this end in view I would reserve the power to nominate one-third vacancies every alternate year—in which case one-third would be by competition, one-third by promotions from the lower services, and one-third by nominations.

36175 (56). Do you consider that the numbers of officers authorised for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—Please refer to question (52) *supra*.

36176 (57). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—The civil as distinguished from the other work is done by the judicial branch. The selected few in Rs. 500 grades or above do some sessions (criminal) work. The point I would urge is that the judicial branch should be given the criminal work also. For otherwise it is not fair to expect criminal work of a superior character from persons who have acted merely as sub-judges. Revenue and criminal work need not be mixed up as it is at present. I would therefore advocate the separation of judicial and executive services, the judicial services being under the "High Court."

36177 (58). Are you satisfied with the present designation "The Provincial Civil Service?" If not, what would you suggest?—Nothing in the name.

36178 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Service as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I am afraid the principle of supply and demand ought not to be brought into play in fixing the salaries. The Provincial Civil Service forms a responsible part of the Government machinery. Its members have a certain well-recognised status in society and they have to live up to that standard. The standard of living has gone up. The value of the rupee is nearly half of what it was. The salaries fixed in 1886-1887 are quite insufficient to keep up their position, much less therefore to lay by anything for the education of their children. Besides, the joint Hindu family system works such a havoc on the slender purses of these Provincial Service men. The status which the officer occupies in the public eye, the life which men of his position are expected to lead, and above all the duties that are expected of him, ought to govern the salaries.

MR. M. R. DIXIT called and examined.

36179. (*Chairman.*) Would you tell us what public offices you have held?—I have not held any public offices; I have been a representative of the graduates in the Local Municipal Corporation for the last two or three years.

36180. You favour a system of simultaneous examinations?—Yes.

35181. But you would, if necessary, allow for a European minimum?—Yes.

36182. I take it by your proposal, therefore, if the minimum were introduced, you would advocate an examination in India at the same time as the one in England?—Yes.

36183. Would it be precisely the same examination you would advocate in the event of a minimum being introduced?—Absolutely.

36184. Would you object, in the case of the examination in India, to nomination prior to the examination?—I do not think I would recommend nomination in any form.

36185. Would you leave it open as it is in England?—Yes.

36186. You complain in your answer to question (11) that Civilian Judges do not know enough Law. If they had a regular training in Law from the outset would that meet your objections?—When there is plenty of qualified material already available, why should the State go in for the expense of training a particular class of persons for a particular department? It is an additional expense to the State, especially when there is no complaint of the dearth of legally qualified material for the Judicial posts.

36187. From whom would you like to see the Judicial Branch recruited?—As I say, either from the Bar or by promotion from the Provincial Civil Service, 50 per cent. from each source.

36188. You would not have any recruited from the Civil Service?—I think the Civil Service is really meant more to keep up the British tone in the administration, and its proper function would be more on the Executive side than on the Judicial. On the Judicial side it is admitted that there is no need for resourcefulness, pluck, courage, or any of those qualities which are inherent in the British race, and consequently the question of the minimum of Indian Civil Servants in Judicial posts does not really arise. On account of questions of general principle it is only a trained Lawyer that should administer Law, and not laymen.

36189. In your answer to question (32) you point to certain defects in the University career. Were you at one of the English Universities?—Yes. I had the pleasure of being at Cambridge for about 3½ years.

36190. Could you give us the experience upon which you base your remarks in your answer to question (32)?—In that answer I am speaking about the probationers for the Indian Civil Service. As far as the average undergraduate is concerned I think he spends there the best period of his life; but as far as the probationers of the Indian Civil Service are concerned I think they are undoubtedly looked upon as a superior sort of persons by the average run of undergraduates or graduates in the Universities. For one thing, most of the undergraduates in the Universities cannot afford to go in for some of those expensive luxuries, such as riding and other things, which the Indian Civil Servant has as a matter of course to go through. It costs a great deal, and the average undergraduate is not able to afford it. Then in their associations and cliques they are quite separate from the ordinary University undergraduates or graduates.

36191. So that on the whole you do not favour the period of probation being passed at a University?—No, I do not. I do not mean any disrespect to the Universities, but the education that is really required for an Indian Civil Servant to enable him to get through the open competition is certainly far different from the ordinary general education that a University undoubtedly gives.

36192. Where would you like to see the probationer go through his period of training?—I have suggested a central residential institution either located at Cambridge or Oxford, so that the halo and romance of the older learning may still be there, and the atmosphere thoroughly saturated with education. Residing together, having common ambitions, common studies, there is the more likelihood of good feeling between the two communities, with Indian members and European members there together. As a matter of fact in the Universities in Cambridge there are about 2,000 or 3,000 students per year, and one can find one's own clique and set, and perhaps two Civil Servants destined to serve in the same part of the country may never meet during the whole two years there, except for certain lectures which they have to meet at. Consequently I think a common residential institution, located wherever you like, would be certainly preferable.

36193. We have had it put to us by witnesses that a central establishment such as you describe might have a narrowing effect on the probationer, and that the atmosphere would be somewhat restricted as compared with the atmosphere of the University. You do not apprehend that?—I believe in that a little too. For that purpose I specially say it should be either at Cambridge or Oxford, because the halo and romance will be there and the atmosphere will be saturated with education; so that the narrowing effects will be to some extent compensated for by the atmosphere in which they are living.

36194. Your central establishment would be situated in one of these places but would not be in any way attached to the University?—No, it would not be attached, but I believe that environment counts for a great deal.

36195. Then you say that the Civil Judges are overworked in this Province?—Yes.

36196. Have you had considerable experience?—I have been a practitioner in Nagpur for the last ten years, and I have met about six or seven District Judges who happened to be posted to Nagpur, and I believe amongst the

Provincial Civil Service it is a well-known fact that there could not be a worse punishment than being posted to Nagpur as a District Judge.

36197. Is that because the work is so heavy?—Apart from that. There are only two tests by which you can judge if a man is overworked or not. I do not refer to their health, because they may be suffering from an organic complaint which they may have acquired apart from their work, but whenever I go to visit these people, sometimes in the morning and sometimes in the evening, I find them not as a rule at their regular recreation clubs but always busy with their judgments. They are not social; they cannot afford to be social, because the time at their disposal is absolutely limited. The other test that I apply to this overwork is the duration of the adjournments that they give. Supposing my case is fixed for hearing by the District Judge to-day, and that for some reason the case has to be adjourned, if I get a six months' date I know his file is congested for the next six months. That shows the condition of the file of that particular Judge. Having regard to these tests, I am inclined to believe that they are really overworked.

36198. So that you agree with other witnesses who have come before us that there should be an increase in the staff in the various grades?—I think so.

36199. You would say that the increase should amount to as much as 25 per cent.?—I would not fix a percentage, because I am afraid I have no ambition to get into the Service at all and I have never had any, and consequently I have not thought it out in detail.

36200. No doubt you could give us an opinion without having that ambition?—As far as the appointments are concerned, I think we had it from Mr. Stanyon, one of our highest Judicial authorities, that the work which a Judicial Commissioner could possibly turn our would be on the average one or two cases a day. That is second appellate work in which the Judge has not to do very much in the shape of writing except the judgment itself, and hearing the arguments. As far as the ordinary Subordinate Judges are concerned, I find that the test of efficiency nowadays laid down is the number of disposals of cases they can show. That of course deteriorates the quality.

36201. But apart from that, what is the number of disposals an average Subordinate Judge has to show?—It is about 30 to 32 cases, and even 40 in some instances, per month, which I think is exorbitant. You cannot have good quality coupled with quantity.

36202. You also suggest improved conditions for the Provincial Civil Service. Do you suggest that with a view to inducing a better class of officer to come into the Service or to give better prospects to those who are already in the Service?—To maintain a Service at its very highest level of efficiency you must have the willing co-operation of its members. Once they get, rightly or wrongly, a feeling or impression that their promotions are really very slow, and that it is hardly worth while to remain in the Service when they have no chances in life, then their work is bound to suffer. If the chances of promotion are very slow, and promotions are blocked, it is impossible to expect a high state of efficiency in the Service. It is unnatural for a man to put in efficient work when he has that feeling in his head all the time.

36203. You think that a time-scale would be the best means of removing this block?—Yes. I have worked out certain statistics, but I will only mention one instance. A Munsif, who is the lowest in the grade at present, very recently taken into the Service, gets Rs. 125 or Rs. 150 as substantive pay. The prospect of the last Munsif of the fourth grade is that he will go into the Rs. 175 grade in 1924. He joins the service on the 10th November 1910, so that from that time he has to wait 14 years before he can expect Rs. 25 promotion in the next grade. Then he will take four years more to go to the Rs. 200 grade, and two years more to go to the Rs. 300 grade. That takes him from 1910 to 1932, or 22 years. I certainly think that no person with any reasonable ambitions in life will ever care to get into the Service or put in honest good work if he thinks that in 22 years the only promotion he can expect is Rs. 125. I have worked out the statistics for every person in every grade of Munsifs as well as Sub-Judges, but I do not think it is worth while troubling you with that.

36204. Do you agree with the proposal which has been made that Munsifs should be included in the Provincial Civil Service?—With regard to that there is one fact that I must beg permission to put before you. The Provincial Civil Service is really supposed to start from the Sub-Judges and go up to the District Judges, rising from Rs. 200 to Rs. 800. By some rule or other it has been definitely laid down that no direct appointments can be made to the Provincial Civil Service at all. By some legal means a subordinate grade has been added on to the Provincial Civil Service and the Munsif is in this particular grade. I certainly think that if the Provincial Civil Service was created by the last Public Service Commission as some sort of recompense to the legitimate aspirations of the Indians, to form a *corps d'élite* for the Indians, it is hardly fair that a man with a better training should be asked to start at Rs. 125 or Rs. 150, with a chance later, however remote it may be, of getting promoted to the Provincial Civil Service. The rule which says that no direct appointments should be made to the Provincial Judicial Service strikes at the very root of the matter. Whether the Munsifs are promoted to the Judicial Service or not does not matter to me because I am not particular about nomenclature, but I certainly think there should be no last grade not recommended by the Public Service Commission to the Provincial Civil Service; that is why I suggest the Munsifs should go up to the Provincial Civil Service.

36205. And to how much should their salaries be raised?—To Rs. 200.

36206. You suggest that the Criminal work should be given to the Judicial Branch. Would not that entail a considerable increase in expenditure?—I have been trying to work out the statistics myself as far as two or three of the Districts of these Provinces are concerned, but the figures available are so meagre that it is impossible for a nonofficial to work the statistics out. The only figures I could get was that 30 per cent. of the Criminal work is done by the Honorary Magistrates. Therefore there remains 70 per cent. of Criminal work to be got through. For that purpose we have Extra Assistant Commissioners, some exclusively devoted to Excise and others doing half Executive work and half Judicial work; so that if it means an increase at all it will mean an increase, as far as the Nagpur District is concerned, of about three Extra Assistant Commissioners, or three Subordinate Judges, and that would mean Rs. 600. If the functions were really bifurcated we should want an addition of two, or three at the most, per District, of Sub-Judges or Extra Assistant Commissioners, and that would cost about Rs. 400.

36207. (*Sir Murray Hammick.*) These statistics that you have worked out with regard to the promotion of Munsifs do not quite correspond with what one witness told us, that in the Judicial Service a Munsif hardly ever lives to get his pension, that almost all of them die long before that. I suppose if that is the case the Munsif you refer to will get his promotion a little quicker than you calculate?—As far as the Munsif whose instance I mentioned is concerned, he is a friend of mine and I do not think he will be living when he should be getting Rs. 250.

36208. It is very difficult to prophesy accurately as to when a person is going to get into another grade. Very often your prophecies are made false by sudden deaths and sudden retirements and so on. I do not think we can place any very great reliance on statistics as to the future promotion of Munsifs. You propose in your scheme for the Judicial Service, whether Criminal or Civil, that the recruitment should be half by competition and half by promotion from the lower Service, by which you mean from the Munsifs I suppose?—Yes.

36209. Into the Sub-Judges' grade?—Yes.

36210. Then you say that as far as Executive officers are concerned you would leave the selection to be made as at present, with the proviso that Law graduates should get the preference. Why do you wish to have competition for the Judicial Service, and no competition for the Executive?—The Executive Service is supposed to maintain the prestige of the administration, and consequently from the Englishman's point of view, or the administrative point of view, they would like to have nominations for the Executive Service, and I am prepared to concede it as a compromise.

36211. I do not understand how nomination will give you greater prestige in your Service than examination. It depends on which will give you the best men. Prestige will come by having a good Service?—Perhaps I was wrong in using the word prestige. You may put it on the ground of efficiency. The Executive Service requires different qualifications for efficiency than the Judicial Civil Service.

36212. And you think that the qualities which you get by examination are more likely to suit the Judicial Service than to suit the Executive?—It is not that. I have mentioned it because the Executive Service has to be governed by a certain policy which may be laid down by the administration or other immediate superiors, and consequently an examination perhaps does not give better material for carrying out such orders, and nomination would therefore be the most conducive to the harmonious working of the Executive Department.

36213. You think that if you recruit by examination for the Executive you would get too independent a body of Public Servants?—That is my impression.

36214. That you would not have proper discipline?—That is so.

36215. You go on to say that you do not think there is a necessity to have any class representation in the Provincial Civil Service. You do not want nomination for that purpose?—Every alternate year I would have one-third by competition, one-third by nomination and one-third by promotion from the Subordinate Service. Class representation as such should never be encouraged. No definite proportion should be fixed, as it would impair the efficiency of the administration, and in the interests of good Government it is not advisable.

36216. Your answer to question (54) is not quite the same as your answer to question (52)?—One is for the Judicial Service. In the Executive I have already said it should be purely by nomination.

36217. Your answer to question (54) relates entirely to the Judicial?—Yes.

36218. You do not propose to bring anybody into the Provincial Civil Service from the Bar?—With the present prospects and present rates of pay no member of the Bar who is worth his salt will ever care to accept the appointment.

36219. With regard to giving Criminal work to Civil Judges, do you think that for a Civil Judge, with the hard work that Criminal cases cause, it would be possible to work an efficient Civil Court under the same head as a Magistrate's Court? Do you think that a Magistrate and a Civil Judge can be efficiently combined in one person?—I think as an experiment they can be.

36220. I have never heard of a case anywhere except one or two exceptional cases in famine time. It seems to me that the fact that a Magistrate has to do such a lot of out-of-door work in connection with Police enquiries and the irregularity of the posting of cases, and so on, would lead to great deterioration in the Civil work?—It is just probable.

36221. (*Mr. Chaubal.*) I think I am responsible for the use of that expression "Subordinate Judges of the last grade," to which you refer. What you really mean is that the nature of the Civil work done by a Munsif and the nature of the Civil work done by a Subordinate Judge is exactly of the same kind except that the jurisdiction is different?—Yes.

36222. In all other Provinces Munsifs are in the Provincial Civil Service, as for instance in Madras, Bengal, and Bombay?—I did not know that. I have no knowledge of other systems.

36223. Do you know that in Bombay Subordinate Judges of the second class are in the Service?—Yes.

36224. And they begin as here with Rs. 150. Of course I quite admit the claim to be paid higher salaries, in the same way that you are advocating higher salaries for the Judicial Service here, but the great point I think you make is that, looking to the nature of the work, you cannot see any reason why this body of officers should be kept out of the Provincial Civil Service?—Exactly.

36225. With regard to increasing the staff on account of overwork, have you tried to ascertain whether the Judicial Officers here are really more hard-worked than the Judicial Officers of other Provinces?—My experience of other Provinces is confined only to the summer vacation, so that I cannot possibly say how they are worked there.

36226. Is the recommendation you make in question (57) of the Provincial Civil Service questions a mere theoretical recommendation, or is it a recommendation made on account of the actual administration of justice which you as a lawyer have come across?—I advocate it on my personal experience.

36227. If Criminal jurisdiction were given to Civil Judges they would only have two kinds of work to do, Civil and Criminal?—Yes.

36228. At present, as a matter of fact, a Magistrate has half-a-dozen other kinds of duties?—Exactly.

36229. In one case you will be only taking one of his six duties and handing it over to a Civil Judge, leaving him the other five?—Yes.

36230. At present do Magistrates find it possible to dispose of criminal work at stated hours and stated times?—It is not possible.

36231. On account of the other work Magistrates have to do they do find it impossible to take up criminal work at stated times?—Yes.

36232. (*Mr. Macdonald.*) You answer one of the questions by saying that so far as the Executive side of the Provincial Civil Service was concerned nomination might be better than examination?—That is not from my point of view, but from the Administration's point of view.

36233. You were only then expressing what you regard as your view of the Administration point of view?—Yes, and what I should be prepared to concede.

36234. What bearing has that upon your answer to question (1), where you are in favour of simultaneous examination for the Executive side in the higher Branch of the Service?—There should be a distinction in principle between the Subordinate Service and the Higher Services. The Imperial Service is one with a policy of administration as a whole, whereas there are several subordinate policies for each particular district which have to be gone through in the lower Services, and consequently there is a differentiation.

36235. The mere superficial opposition which came out in your first answer you explain away by saying that the Services are of a different character?—Yes, and secondly in the Imperial Civil Service you certainly get a better trained and better educated men.

36236. When did you leave Cambridge?—In 1903.

36237. I think you said that a student in order to pass the Indian Civil Service examination would require to supplement his University subjects by further studies?—Yes.

36238. You have in your mind now the scheme of the Indian Civil Service examination?—Yes.

36239. And the scheme of the Cambridge Tripos examination?—Yes.

36240. The sort of ordinary examinations that a good student would take in order to finish up at Cambridge?—Yes.

36241. Do you know the Oxford curriculum?—No.

36242. You could not say what the difference is, from the point of view of supplementing studies, between a Cambridge student and an Oxford student, both of whom wanted to go up for the Indian Civil Service?—I know Cambridge and I think the same thing would apply to Oxford also, because the two are sister institutions running on parallel lines.

36243. But you do not know the difference between the two studies, the Oxford and the Cambridge?—No.

36244. (*Mr. Sly.*) With regard to your opinion in favour of simultaneous examination, you have put in the forefront the reason that the present system shuts out the bulk of Indian talent?—Yes.

36245. I should like to know on what ground that opinion is formed, because we have had very varying evidence on the subject. For instance, we have been told by one witness that he thought certainly not more men were shut out by the present system than went home at present, that it really affected a very small number of Indian students?—Personally I think amongst my own class fellows, when I was in the College, there were certain men far superior to me in their attainments who could not afford to go up for the Indian Civil Service. I was sent for it, but fortunately or unfortunately never tried for it. Judging from my compeers in my College I certainly was a second-rate man. If the same state of things happened anywhere else, and I think it undoubtedly happens at many other Colleges, very few people can afford the expensive journey to the most expensive place in the world except New York.

36246. Your opinion is that there is a substantially large number of Indians who would have a chance of success at the examination, but who

are shut out from appearing by the present system?—Yes.

36247. And that is based on your experience of your class-fellows at College?—Yes.

36248. You express an opinion that even with extended facilities for higher education the Indians would not swamp the Service to any appreciable extent. Although a large bulk of these clever Indians are shut out, yet you consider these, with improved facilities, would not get in by simultaneous examination?—That is reconciled by the sentence I have put in "Would not swamp the Service to an appreciable extent." It depends on what we call "swamp" or "appreciable extent." Of course, as far as the Indian Civil Service is concerned, it would be "swamping" if there were 80 per cent. or even 60 per cent. Indians. Therefore unless I know what percentage would be equivalent to "swamping" and to "swamping to an appreciable extent" it is impossible to reply to the question.

36249. The phrase is yours, not mine?—I quite agree.

36250. Will you tell us what you mean?—I mean about 60 or 70 per cent. of the total number recruited.

36251. Then you do think they will get a very much larger percentage than they get at present?—Yes, but it will not amount to 60 per cent. At present we have four or five out of 55 or 60.

36252. This year it was seven?—But the average will work out to much less. Even if it comes to 25 out of 60 I do not think it will be "swamping," but I do not expect it will be 25 for the next 25 years.

36253. You disapprove of any separate examination because you think it will tend to an invidious distinction. You think that officers admitted by a separate examination will not be considered quite of the same status as if they got in through the same examination?—Yes.

36254. Do you really think that the method of recruitment of officers to the Service will make this invidious distinction, or will it not depend on their work after they are in the Service?—I think it will depend on the source by which the officer gets in.

36255. Absolutely?—I base it on one reasoning. Provincial Service men who have sometimes been fortunate enough to get into the Indian Civil Service posts are not received with the same kind of feeling as even the youngest civilian is received.

36256. But they are not admitted into the Indian Civil Service, are they?—No.

36257. They have not the same pay or the same privileges?—No.

36258. But even if you gave to all the recruits all the privileges, after separate examination, you still think there would be some distinction?—As it is there is a little distinction, and there would be much more if there were separate examinations.

36259. Failing your recommendation of simultaneous examinations, are you prepared to recommend to us any second alternative?—I would recommend scholarships, but even that, it has been urged, would cost a great deal. Personally I think the cost could not come up to more than a lakh and a half of rupees a year. Supposing we were to give five per Province to the 8 Provinces in India, that would be 40 studentships a year, and if the scholarships were for three years it would amount to about £200 a year each.

36260. You would prefer a system of scholarships to any system of separate examination?—Certainly.

36261. With regard to your Judicial scheme, I understand you wish to wipe out recruitment from the Indian Civil Service altogether and give 50 per cent. to the Bar and 50 per cent. to the Provincial Civil Service?—That is what it comes to.

36262. Do you admit that there is any necessity for any European element in the Judicial Service?—I should certainly expect a leaven of the European element at the very top.

36263. You mean the High Court?—Yes, or some of the administrative posts where the whole scheme has to be watched.

36264. In the Divisional or District grade would you have any European element?—One or two.

36265. Where do you propose to recruit this European element?—Direct from home, as in the case of the High Court Judges.

36266. Do you think any English Barrister is likely to come out here for a District Judgeship?—No.

36267. A Divisional Judgeship?—I think he might, but not one of any repute. There are, I believe, several even in England who are struggling for a career, who are as intelligent as some of those who have been fortunate enough to get a high practice, and they would be, I think, quite worthy of appointments, and only too glad to get the appointments.

36268. Here you propose a Judicial Service that is recruited from two entirely separate sources, from the Bar on the one hand and from the Provincial Civil Service on the other: do you not think you will have the same invidious distinction that you would have if you had a separate examination in India for the Indian Civil Service? Is not the objection equally strong to your scheme of recruitment for the Judicial Service?—It would not apply. In the case of the Indian Civil Service there would be two different sources from which they would be admitted; in the first place, the race, and in the second place, the peculiar education that a stay in England gives to the Indian people. That would be supposed to be wanting in the majority of instances in which an Indian gets through an Indian examination. In the next place, in the Indian Civil Service appointments they have both to pull together, and consequently there is apt to be a comparison of one section and another, much to the prejudice, wrong prejudice very probably, of the man admitted purely from the Indian source. That will not apply to the Judicial Civil Service.

36269. It does come very largely then to a question of race?—It cannot be ignored.

36270. In answer to question (20) you have given us some figures about the proportion of Indians in the Service?—There I am wrong. It should read: "That part which is recruited by special arrangement in India has so far worked satisfactorily. But the proportions fixed have

never been realised. For out of 104 we have only seven Indians." The figure is 7 instead of 5. This includes the Berars. Then it should read "In the Central Provinces out of 93 we have only five Indians thus enrolled," the figure 5 being substituted for 2.

36271. That refers only to Indians in the Indian Civil Service?—Yes.

36272. You have also left out of account the Indian officers who are holding listed posts and other Judicial appointments?—Yes.

36273. Altogether the proportion of Indians employed in the Central Provinces and Berar is very substantially higher than you have shown in that statement?—Yes, but before Berar was joined our percentage was very much less. It is only by an accident that we are able to show this high percentage. In Berar the non-Commission Service take up many more Indians than our Province, and after the amalgamation four or five gentlemen from Berar have to be counted in calculating our statistics now; Mr. Muinuddin, Mr. Jatar, Mr. Rustomji, and I think one or two more.

36274. I do not think there are more than three?—It is probably my mistake.

36275. There are only three, and if it is a question of balance you have at least three in the Central Provinces?—Yes.

36276. So that the Berar question is not such a very big element. You have also recommended that there should be direct appointments to some of the higher grades in the Provincial Civil Service, or even to listed posts?—Yes.

36277. And not content with the rule laying down that one-fourth of the listed posts may be recruited direct you wish to alter it to one-third?—As a matter of fact whether it is one-fourth or one-third the proportion has never been realised.

36278. I suppose your object is to have it realised?—If we place our limit a little higher we may get a little higher in the actual working figures.

36279. Under the rule Government has already the power to make as many direct appointments as you contemplate?—It has been very seldom realised.

36280. Do you not think it would be unfair to the Provincial Civil Service to make direct appointments of that nature?—I think the Provincial Civil Service would benefit by a leaven of outside element in it.

36281. Do you think the Provincial Service would give that answer?—I do not know.

36282. You went on to give certain statistics that you said you had worked out regarding promotion under the Provincial Service. Were they worked out on any proper actuarial calculation as regards casualties, leave vacancies, deputation allowances, and other factors?—They were worked out on this basis. I took every person in the Service, saw when he got into the Service, and saw when he would retire at the age of 55, and I put his period of retirement at a particular year. Calculating that for everyone in the regular course up to their retirement by age-limit or taking their pensions, I calculated the promotions. It has the disadvantage that I have not calculated casualties. Allowance for that can only be made to the extent of 3 per cent. per year.

36283. You have made no allowances really for casualties, transfers, promotions, and all the rest of it?—No.

36284. (*Mr. Fisher.*) You propose that the Judicial side of the Provincial Civil Service should be recruited by competition; how many posts would be offered for competition every year on an average?—It depends whether you have one Judicial Service for the whole of India or Judicial Services for each particular Province. If it is for the whole of India I certainly think the number would be 20 or 22.

36285. You would prefer an examination for the whole of India rather than a Provincial examination?—I think it would be distinctly better.

36286. Would you suggest that persons selected at that examination should be sent to Provinces other than those in which they reside?—Yes.

36287. You do not regard it as important that a Provincial Judge should belong to his own Province?—After all, the difference between the different communities in the whole of India is not so much as appears at first sight. Their environments are the same, their origins are practically the same, their history is the same, and their civilisation the same. In olden times when there were no railway facilities for communication it might have been a great difficulty, but now I do not think any difficulties or prejudices exist.

36288. Does your recommendation as to the competitive examination depend on the examination being national or would you accept a Provincial examination?—I should take a Provincial examination as a second alternative.

36289. (*Mr. Madge.*) While advocating the introduction of simultaneous examinations you think that they would not swamp the Service, but judging from your other answers am I right in thinking that it would not matter very much whether they did swamp it or not?—The Indian Civil Service is a very wide term. If it is the Judicial Department, as I have already said in reply to another question, there does not seem to be really any necessity for fixing a British minimum, because the resourcefulness, pluck, daring and other qualities of the English are not necessary. What is wanted is actual, real, solid hard desk-work. I have known of Civil Judicial Officers, Indian Civil Service people, in this Province, who call it being a "Head Babu" in their district. Having regard to that feeling I do not think the Indian Civil Service people very much desire to be in the Judicial Department.

36290. By Civil Administration do you mean one side or both sides?—Judicial only. In the Executive Department there is certainly a necessity for the British minimum to maintain the British tone of the administration.

36291. By Civil administration you do not mean the Executive side?—No.

36292. You say in answer to question (28): "The system has so far given Indian members as good as the European members to the Service. . . . Of course even amongst the European members of the Service there are a few officers who are in every way as good as, if not better than, the Indian members of the Service." Does that mean generally in this country that the

European officers fall short of the Indian officers?—No, my remark must be taken with the sentence that immediately precedes. "Looking at this subject from every point of view I find the Indian Civilian better behaved towards the Natives of India than many European members of the Service."

36293. My object in putting this question is not to raise any racial question but only to ask whether you think the machinery can be so perfected that it does not matter who works it, or that a great deal depends on the official who has to work it?—A great deal depends on the person, but on the other hand a great deal also depends on the machinery.

36294. You refer to the Judicial branch of the Service as being a special technical branch of the Service, somewhat in the same sense as the Public Works Department or the Medical Department. Do you really think that?—Undoubtedly I think so.

36295. Do not you take into account the numerous administrative duties a Judge has?—It is similar in the Public Works Department and the Medical; they have administrative duties; they have their administrative department as well as their technical department.

36296. They are strictly professional in this sense, that a man may acquire a certain proficiency in his work no matter to what race he belongs. Do you not think there is any distinction between them and the Judicial?—I think there is no difference between them.

36297 (*Mr. Thakur.*) Do you not think it will be a distinct advantage if the criminal work is done by the Civil Judicial officers in filling up the posts of District and Sessions Judges?—That is what I refer to. I said it is not fair to expect criminal work of a high order from persons who have merely acted as Sub-Judges.

36298. If you take an officer to fill a District and Sessions Judge's post from the Civil side he will not have a knowledge of the Criminal Law, and if you take an officer from the magisterial side he will be wanting in a knowledge of Civil Law, but if you had Civil and Criminal work done by one side of the administration the officers promoted would have a knowledge of Criminal Law?—Yes.

36299. In giving your statistics you mentioned that it took 14 years to go from the first grade to the second. Is it any shorter in the others?—It takes from 1910 to 1924 to get into the Rs. 175 grade and from 1924 to 1928 to get into the Rs. 200 grade.

36300. The first period is much longer than the second?—Yes.

36301. On what is this calculation based?—It only takes into calculation the retirements, as I said, not the deputation allowances, vacancies, or casualties.

36302. The promotion from the last grade but one would not be so much delayed as now appears?—I certainly think that with all allowances made it could not be less than eight years.

(The witness withdrew.)

(Adjourned till to-morrow at 10-30 A.M.)

Wednesday, 19th March 1913.

THIRTY-FIFTH DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.
Sir MURRAY HAMMICK, K.C.S.I., C.I.E.
Sir THEODORE MORISON, K.C.I.E.
MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.
WALTER CULLEY MADGE, Esq., C.I.E.
FRANK GEORGE SLY, Esq., C.S.I.
HERBERT ALBERT LAURENS FISHER, Esq.
JAMES RAMSAY MACDONALD, Esq., M.P.

And the following Assistant Commissioners:—

BERTRAM PRIOR STANDEN, Esq., C.I.E., I.C.S., Officiating Commissioner, Berar.
RAO BAHADUR KASINATH KESHAB THAKUR, I.S.O., District and Sessions Judge, West Berar Division.
MAHDI HASAN, Esq., I.S.O., Extra Assistant Commissioner, Jubbulpore.

M. S. D. BUTLER, Esq., C.V.O., C.I.E. (*Joint Secretary*).

FRANCIS SAMUEL ALFRED SLOCOCK, Esq., I.C.S., Inspector-General of Police.

Written answers relating to the Indian Civil Service.

36303 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The system of open competitive examination is free from the drawbacks belonging to the system

which it superseded and on. the whole it appears to be the best system that can be devised. If a satisfactory system of nomination before the competitive examination could be devised I am inclined to think that it would be worth trying. I cannot myself suggest any such system but probably a board of selection composed partly of retired officers of the Indian Services would work best. One of the points which I think should be insisted on in the candidates for the examination is residence for a certain minimum term in the British Isles. I base this suggestion on the premise that the object of the competitive examination is to recruit the British branch of the Civil Service of India and to obtain candidates who have had British training and have imbibed British ideas. Any candidate of other than British birth who wishes to compete should therefore have resided sufficiently long in the British Isles to have become imbued with British ideas. The chief drawback of the present system of recruitment appears to me to be the age at which Civilians arrive in this country, but I will deal with this point later on.

36304 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am opposed to any scheme of simultaneous examinations for the Indian Civil Service. The reasons against simultaneous examinations have been set forth at great length and with much force in the printed papers on the subject, and I do not think it is necessary for me to say more on this head than that simultaneous examinations would be incompatible with the objects of the competitive examination as I understand them.

36305 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I take it that the object of these questions is to obtain opinions as to the best methods of recruiting Natives of India for the higher appointments in the Civil Service. I have already expressed my views as to what the object of the open competitive examination is, and I need only add that in my opinion if an Indian candidate has resided sufficiently long in the British Isles to fulfil what I regard as the condition which should be essential to his right to compete, I see no reason why he should not compete. I know that under the present conditions Indian candidates are not very numerous, and if a condition such as I propose is imposed it is possible that Indian candidates for the open competitive examination may become fewer than they are at present. If it were otherwise and if there were any chance of the open competitive examination held in England being swamped by Indian candidates, I should certainly suggest closing the open competitive examination against Natives of India; indeed, there is much to be said in favour of doing so even now. At the same time I recognize that Indians have a claim to be admitted more freely than at present to the higher branches of the Administration, and the way to secure them in this claim is, in my opinion, to reduce the recruitment for the British branch of the Service and to throw open more posts to recruitment in India. The question of the extent to which this can be done is one to be considered by those more qualified than I am and I do not therefore attempt to discuss it. But as regards the method of doing it I am certainly of opinion that the recruitment of Natives of India for the higher posts should not be effected through competitive examination. I believe that competitive examinations where they have been tried in India have not been very successful, and personally I do not see how they can be. It appears to me that success in a competitive examination held in this country must fall almost entirely to one or two classes only of the population. For example, with a view to see how a competitive examination for this Province would probably turn out, I have examined the figures of the passes by the B.A. and B.Sc. in these Provinces during the past five years and find that they are as follows:—Hindus 176; Muhammadans 7; Others 8. Out of the 176 Hindus I find that 143 are Brahmans and 33 are of other castes. Analysing the figures by race, I find that 133 of the Hindus are Mahrattas, 35 belong to the Hindi speaking races and 8 are Bengalis or Madrasis. It appears to me that these figures constitute a strong argument against any system of unrestricted competitive examination in India so far as this Province is concerned. The statistical argument would probably be stronger still against a single competitive examination for the whole of India. Our present system of recruitment for the Provincial and Subordinate Civil Services is a system of nomination from among candidates of certain educational qualifications, and this appears to be the system of recruitment most suited to the conditions of the country. If therefore it is desired to recruit Indian officers for the higher branches of the administration, the system to be adopted should be one of nomination, on the lines at present in force, of selected officers of the Provincial Service to listed posts. If you set apart certain posts from the cadre of the Indian Civil Service for competitive examination in India you will have (*i*) a comparatively small higher service recruited direct by competition; (*ii*) a Provincial Service recruited partly by direct nomination and partly by promotion from the subordinate service; (*iii*) a subordinate service recruited by direct nomination. Now it cannot be denied that there are certain disadvantages attaching to the existing system under which we fill the Provincial Service partly by direct nomination and partly by promotion from the subordinate service. These disadvantages would be intensified if you were to add a third service recruited direct by competitive examination. For example, there would arise the question of whether to retain the present system of selection from the Provincial Service

into the listed posts. If you retain this system there would be confusion, jealousy and difficulty regarding seniority between those recruited direct by competitive examination and those recruited by selection from the Provincial Service. If on the other hand you abolished the existing system of selecting officers of the Provincial Service for the listed posts, you would most certainly reduce the attractions and status of the Provincial Civil Services. I would therefore prefer to see an extension of the present system of listed posts whereby you would increase the attractions and raise the status of the Provincial Service and would secure for the listed posts officers of proved merit. While I am on this subject I think it desirable that I should sound a note of warning. Whatever it may be decided to do in the way of increasing the number of posts open to recruitment in India, it can only be given effect to after a lapse of time. You cannot cut off posts from the cadre of superior appointments open to the Indian Civil Service and transfer them to the listed posts until the claims of Indian Civil Service officers, who were recruited at a time when those posts were still attached to the Indian Civil Service cadre, have been satisfied. It ordinarily takes eight to ten years for an Indian Civil Service officer to reach a superior post, and hence no superior post can be taken away from the Indian Civil Service for a period of ten years without a breach of faith. I mention this because, though it appears to be so obvious, there has been a tendency observable to disregard the claims of officers who are already in the Service. It appears to me that it is a very bad policy to try and please one set of people at the cost of injustice to another.

36306 (11). If you are in favour of a system for the part recruitment of the Indian Civil Sevice by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—The answer to this question depends on the decision that may be arrived at regarding recruitment of Indians in India. If it were decided to make direct recruitment of Indians in India to the Indian Civil Service, then I should certainly advocate the closing of recruitment in England against Indians. Sooner or later such a step would become necessary and it would certainly be easier to come to a decision now than later. Even without any scheme of direct recruitment in India, and if the present system of selection from the Provincial Civil Service be retained and worked on a larger scale, I believe that it still would be a sound move on grounds both of policy and of administrative convenience and efficiency. My point may be explained concretely thus. If it were decided to limit the proportion of Indians in superior posts to 20 per cent., I would sooner see the whole 20 per cent. recruited from the Provincial Civil Service than 15 per cent. from the Provincial Civil Service and 5 per cent. from Indian members of Indian Civil Service. In such circumstances I would of course advocate the listing of a larger proportion of posts. Incidentally I would remark here that I see no reason why listed posts should be retained in the cadre of the Indian Civil Service. It appears to me that it would be better to transfer listed posts to the Provincial Civil Service cadre, in the branch to which they belong.

36307 (13). Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system that you would propose?—I do not recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service. I consider that the best training which a Judicial officer can get is by starting as a Magistrate and Executive officer. A good Magistrate will always make a good Judge; if he elects or is selected for the Judicial branch he can easily make himself acquainted with Civil law, the study of which requires no great parts or abilities, while his early executive training will have given him an insight into certain matters which an officer whose whole time is confined to judicial work will have no chance of getting. Incidentally I may mention that I strongly deprecate the practice of filling judicial posts involving criminal powers with officers whose whole careers have been in the civil judicial branch. It is essential that our civil judicial officers should have some years' experience in the trial of criminal cases as Magistrates before they are put in as District and Sessions Judges. I consider that the recruitment of the bench from the bar is strongly to be deprecated. A lawyer acquires in the exercise of his profession certain traits which unfit him for a judicial position. A successful lawyer who has spent years at his profession rarely makes a good judge, and we certainly do not want to attract unsuccessful lawyers into our Judicial Service.

36308 (15). If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—I have already stated that in my opinion one of the chief drawbacks to the existing system of recruitment is the age at which an officer arrives in India. My objection falls under two heads. One is that officers arriving in India at between 24 and 25 years of age have become more settled in body and mind, in their character and convictions, and are less impressionable and less adaptable than they would be if they come out younger. In my opinion 21 is the best age for a young officer to come out to this country. Moreover I do not think it is a good thing for young officers to come out married, and I would bar marriage for the first two years; this would hardly be possible in the case of men of 24 or 25. My other objection is as follows. It is calculated that an Indian

Civilian will ordinarily reach a superior appointment after about eight years' service in India. If an officer arrives at the age of 24 or 25, this means he will not attain the rank of Deputy Commissioner or an appointment of similar status until he reaches the mature age of 33 to 34 years. In actual practice in these provinces we have officers of 37 years of age still performing the comparatively humble and irresponsible duties of Assistant Commissioners. I venture to say that such a state of things is absurd. If an Englishman who has been capable of passing one of the stiffest competitive tests and who has passed through the most expensive and most elaborate course of school and college training is not fit to take charge of the duties of a district officer by the time he reaches the age of 30, then it must be that we are recruiting a class of officer which is not suited to our requirements. But this I do not believe to be the case, and I have no doubt whatsoever that officers whom we are recruiting are perfectly fit for the charge of districts or similar duties by the time they reach the age of 30. It appears to me that the present state of affairs is one of the causes which are contributing to the decrease in the popularity of the Indian Civil Service as a career. The question then arises, are we to continue the present basis of recruitment and let officers serve eight years before they attain responsible posts or are we to reduce the period of training? It appears to me that the best remedy is to reduce the age at which officers arrive in this country, let them have their eight years' training in inferior posts and let them attain superior rank at about 29 or 30. If on the other hand we are to retain the existing age-limit for the competitive examination, then we must reduce the reserve in the cadre which is required for training, for leave vacancies and for inferior appointments and we must reduce the time which an officer will spend in training and in inferior appointments to five years. Another objection to the present system which has been mentioned to me, though I am not able to give a personal opinion on the point, is that the present competitive examination does not fulfil the principle laid down by Lord Macaulay's Committee in 1854, that "no candidate who may fail shall, whatever calling he may devote himself to, have any reason to regret the time and labour which he spent in preparing himself." This objection is not based on the syllabus of the examination but on the age at which the candidates appear for it. If a candidate at the Civil Service competitive examination fails, he has very little to look forward to in other lines of life and he is compelled to take up any appointment which may offer itself. Such a prospect must inevitably have the effect of deterring many suitable candidates from waiting for the examination. On all these grounds therefore I would certainly urge that the age-limit for the Indian Civil Service examination should be reduced to 18—20 and that the syllabus for the examination should be drawn up so as to secure candidates who have completed the ordinary public school or high school course. Allied to this question is that of training and probation. It appears to me that the greater part of a young Civilian's training would be much better spent in India than in England. On the whole I am inclined to doubt the benefit of the probationary period spent after passing the competitive examination in England. There is no doubt much to be said for the view that probationers can get a better grounding in law and perhaps also in Oriental languages in England than they will out here, but I think that there is a tendency to make too much of the difficulties of securing good teachers in India. I certainly believe that if the probationary period were spent in this country we should find our young civilians acquiring a much better practical knowledge of the vernaculars than they do now, while I doubt whether their knowledge of law would be in any way inferior to that possessed by young civilians under the present system.

36309 (18). What is the most suitable age at which junior civilians should arrive in India?—About 20—21, *vide* question (15).

36310 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the schedule of the Indian Civil Service Act of 1861 (24 & 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54), and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.]?—I am strongly in favour of a statutory reservation to the Indian Civil Service of the higher posts to fill which the Indian Civil Service is recruited, and I consider that it is desirable that such statutory reservation should apply to all posts from Lieutenant-Governor of a Province or Member of the Imperial Council down to Deputy Commissioner or District and Sessions Judge. The statutory reservation of posts is the best and strongest guarantee to intending candidates that the rights of the Service will be respected, and it is in that light that I recommend it and not with any idea of reserving a monopoly to the Indian Civil Service. I take this opportunity of suggesting, in case the enquiries of the Royal Commission are to extend to the organisation of the India Office, that it would be advisable if some statutory reservation could be effected of a certain number of posts there to officers, whether retired or in active service, of Indian experience. I make this suggestion in the interests of good administration.

36311 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—Yes. there must always be a minimum proportion of

British officers, but I do not think the time has arrived for considering what that minimum must be. What has to be considered is, what advance can be safely made at present in the admission of Indians. I am of opinion that within the eight or ten years that it will take to give effect to any change, it should be possible to open 20 per cent. of the posts to Indians recruited in India through listed posts.

36312 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—No. *Vide* answer to question (9).

36313 (32). Do you consider that such a system should be restricted to the recruitment of military officers or extended to the recruitment of selected officers from other Indian services?—Personally I am not opposed to the appointment of selected officers of other Indian services to posts ordinarily reserved for the Indian Civil Service, if thereby officers of superior merit can be obtained; but the difficulty is to make any such appointment without injustice to the Indian Civil Service officers who were recruited for and have claims to such posts. It would be necessary to remove any post so dealt with from the cadre of superior posts on which recruitment is based and to let it count as one of the deputation posts, so that there could be no claim on the part of any service to a monopoly of it. I doubt whether there would be any advantage in such an arrangement.

36314 (33). Please now refer to the rules, dated 26th August 1910, made in exercise of the powers conferred by section 6 of the Government of India Act, 1870 (33 Vict., c. 3), and reproduced as Appendix IV, and to the statement in Appendix V to these questions, showing the number of offices, places and appointments, commonly known as listed posts, ordinarily held by members of the Indian Civil Service, to fill which it has been declared that members of the Provincial Civil Service can properly be appointed; and say whether the figures given are correct for your province?—No. The two inferior posts of Assistant Commissioner are no longer listed: they have been definitely transferred to the Provincial Civil Service when that service was reorganised; under the present system inferior posts are not listed: only superior posts are listed and recruitment of the Indian Civil Service is based only on those posts which are not listed. It is my duty to call attention to the fact that of the six superior posts listed, three have been recently listed without considering the vested claims of Indian Civil Service officers already in the service. The listing of these three posts should strictly speaking not take effect for another six or seven years yet.

36315 (36). Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not can you give the reasons for this, and do you think it advisable that the power should be utilised and in what directions?—My answer to the latter part of this question is no. I am no believer in filling judicial posts from the bar, and I do not see in what other way the power can be utilized.

36316 (37). Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(*a*) to the members of the Provincial Civil Service; and (*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?—*Vide* question (33): all the inferior listed posts are, under our present system of recruitment, merged in the Provincial Civil Service and this is the only arrangement possible.

36317 (38). Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—I see no object in specifying the listed posts, beyond laying down how many of them are to be in the Executive and how many in the Judicial Service.

36318 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—*Vide* answer to question (15). With a reduced age-limit it would probably be advisable to retain the system of a year's probation in England, in order to avoid having young officers coming out as early as 19.

36319 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—Yes, and also first-class passages to India.

36320 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—No: the advantage would not be worth the expense.

36322 (54). What is your opinion of a probationer's course of instruction can best be spent in England or in India?—Subject to my answer to question (43), I think the best place for the probation of a young Civilian is India.

36322 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—No. I do not care for this proposal. The best training a probationer can get is practical training in a district.

36323 (56). In the report of the Treasury Committee appointed to consider the organisation of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in Law required by probationers can be given better in England than in India, because of the difficulties which junior Civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers

appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—I think the difficulties are rather exaggerated, at any rate as regards learning the vernacular. A civilian has got to accustom himself to study in a tropical climate and the sooner he does so the better.

36324 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—I have no suggestions to make as regards the arrangements for the training of junior Civilians after their arrival in India. On the whole I think the present arrangements work well enough. I take this opportunity of suggesting that it would be very sound if young Civilians were to undergo a period of training in practical police work under Police officers; such training would be extremely useful to them in their after careers as Magistrates and Judges. I am unable to say that there has been any deterioration in the knowledge of Indian languages possessed by officers of the Indian Civil Service, but I admit that there is considerable room for improvement in this respect and I consider that the examination in vernaculars should be stiffer and more practical than it is at present. As regards training in law, I have already stated that I consider that officers selected for the Judicial branch of the service should receive their early training as executive officers and District Magistrates. Officers should, I consider, be selected comparatively late in their service, for the Judicial branch officers so selected might well, I think, be given special facilities for studying Civil law by special concessions in the way of study leave. I see no need for special training in subordinate judicial posts for the Judicial branch. Every young Civilian should try a certain number of petty Civil cases just as he has to try petty Magisterial cases. His work as a Magistrate and an executive officer will give him quite sufficient judicial experience; in order that he may qualify for a higher Judicial post all that is necessary is that he should be able to get some legal training by means of a special course of study in the principles of civil law.

36325 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I cannot say that there has been deterioration, but I think there is room for improvement. This can be effected by stiffening the Departmental test in the vernacular.

36326 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the judicial branch. In particular, do you favour a system of granting study leave to Europe, and, if so, what course of study (course for a call to the bar, reading in barristers' chambers or other), and what conditions do you propose?—I think it would be sound to afford facilities for the study of law to officers selected for the judicial branch of the service by the grant of study leave.

36327 (66). Do you recommend any special training in subordinate judicial posts for officers selected for the judicial branch? If so, please give details?—No. I do not see that it is necessary. Officers should be selected for the Judicial branch fairly late in their service. Their ordinary experience will have given them judicial experience or they will in their time have tried criminal, revenue and civil cases. What they want to qualify them for higher posts in the judicial line is a course of study in civil law. Subordinate judicial posts will not give them much legal training. I do not object to officers being put into subordinate judicial posts in the early part of their service but they should not be confined to such posts, as they will thereby lose the advantages of executive and magisterial experience.

36328 (67). Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?—No.

36329 (72). The present theory underlying the conditions of service in the Indian Civil Service is that—(*a*) the members of the Service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—As I have indicated in one of my answers above, I consider that the present theory underlying the conditions of the Services is a perfectly sound one, *i.e.*, that a period of eight years' service should be spent in training and in inferior appointments, provided that the age-limit is reduced as I have suggested. If, however, the present age-limit is retained, then I consider that the period of eight years to be spent in training and inferior appointments must be reduced to five years.

36330 (75). Please now see the statement marked AA and the list marked *Central Provinces and Berar=H*, which have been reproduced in Appendix VII to these questions, and say whether they are correct for your province. If not, please state what amendments are necessary?—List H is incorrect in showing 8 posts in the first class of Deputy Commissioners. When the Berar posts are amalgamated with the Central Provinces posts, there will be only 7 first-class Deputy Commissioners unless and until the badly needed regrading of our Commission is effected. The extra post is that of Inspector General of Police, which is a post carrying grade pay with a local allowance.

36331 (76). Is any difficulty experienced by the Administration in working with the number of superior posts shown in the list for your Province? Do all the posts entered as superior carry a salary of more than Rs. 1,000 *per mensem*, and are they all such as are ordinarily held by officers in the Indian Civil Service? If not, what changes, if any, do you suggest?—So far as this province is concerned it is difficult to say how far the existing system is a suitable one because unfortunately in this province our recruitment is based on an incorrect list of superior appointments. Out of the superior appointments in this province 4 posts of Settlement Officer and 1 post of Registrar, Co-operative Credit Societies, are wrongly shown as superior. Owing to this error the whole of our recruitment and the whole of the other matters dependent on it have been upset. The result has been a very serious over-recruitment for the Central Provinces Commission and a most serious stagnation of promotion among the officers of 14 years' service and less. It seems probable that the scientific basis of the recruitment which has been worked out by mathematicians on actuarial data is correct, and that any mistakes and errors are due not to the system itself but to mistakes in its application.

36332 (84). Does the theoretical strength of the Service correspond ordinarily with its actual strength? If not, please state the facts and, in particular, offer any remarks which may suggest themselves with regard to the existing discrepancy shown in the statement marked BB which is included in Appendix VII to these questions?—*Vide* answer to question (76). Our actual strength is in excess of our theoretical strength and as already stated our theoretical strength is higher than it should be. Our actual strength is 108; our theoretical strength according to Appendix AA is 99: while excluding five posts wrongly included in superior posts it should be 89.

36333 (88). To what extent are the functions of the Officers of the Executive and Judicial Branches of the Indian Civil Service differentiated? Is any change desirable and, if so, in what directions?—I do not consider that any change of principle is desirable in the way of further differentiation of the functions of the Executive and Judicial branches of the Indian Civil Service. The Judicial branch consisting of Judicial Commissioner, District or Divisional and Sessions Judges and District Judges, is already separated from the Executive branch. The Executive branch continues to combine executive and magisterial functions, and must in the interests of the people and of efficient administration continue to do so. In these Provinces we hear nothing of the cry for separation of Judicial and Executive which has been raised elsewhere, and in my opinion the idea of such separation will not stand analysis, either here or elsewhere.

36334 (90). Please see the two statements contained in Appendix VIII to these questions showing the various rates of pay drawn by officers holding posts in the Indian Civil Service cadre and the grading of each class of post for the different provinces, and say whether they are correct for your Province?—I have to point out that a mistake has been made in the list of grades and pay of officers of the Central Provinces and Berar, given in Appendices VII and VIII. There are only seven posts in the first class of Deputy Commissioner in these Provinces and not eight. The mistake appears to be due to the inclusion of the post of Inspector General of Police in the first class of Deputy Commissioners. The post of Inspector General of Police is a seconded post and in actual practice has always, except short periods, been held by an officer of the second class of Deputy Commissioners.

36335 (92). Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—The present scale of pay and grading in the Central Provinces and Berar is entirely unsuitable and most unfair to the officers in that Commission. The inferiority of the grading and of the scale of pay in these provinces as compared with other provinces has undoubtedly caused very great dissatisfaction among the officers of the Commission. The unfair grading of the Central Provinces Commission has caused a serious block of promotion which has been exaggerated by other causes. The Central Provinces Commission is a comparatively small one, it has hardly any of the highly paid posts which are open to the officers in other provinces, and it should therefore be treated more liberally than other provinces in respect of the grading and the scale of pay of the ordinary appointments. As a matter of fact our scale of pay and grading has always been and is still very much lower than those of the other Provinces of India, and there is undoubtedly a feeling among the members of the Central Provinces Commission that their case has not been treated with that consideration which it merits.

36336 (93). If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts or to both?—Both.

36337 (94). Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your Province, and, if so, what?—Yes.

36338 (95). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—I certainly think that it is high time that the system of exchange compensation allowances which was introduced in 1893 as a makeshift remedy should now be abolished, and that the loss should be made up by raising the scale of salaries all round.

36339 (99). What is your opinion regarding the substitution for the existing graded system of promotion of a time scale of salary? If you are in favour of a time scale, should it be restricted to the lower grades of the service or not?—I have never been able to see any advantage in the graded system which has been adopted in India. It appears to me that the graded system is a complicated arrangement made with the object of securing that officers shall receive the same rate of pay and the same flow of promotion as a simple straightforward time scale would give them without any abstruse mathematical calculations. I am certainly of opinion that a time scale of pay should be introduced and I can see in it no difficulties or objections which will not apply equally to a system of graded or local pay while its certain advantages are obvious Time scales should of course only be made applicable to the ordinary appointments which may be classified as appointments up to and inclusive of Deputy Commissioners and District or Divisional Judges. For higher appointments involving selection the scale of pay should be fixed for the appointments according to their status and responsibilities. Special appointments held by officers of the rank of Deputy Commissioner or below can be specially remunerated by the grant of a fixed personal allowance, over and above the time-scale pay.

36340 (103). If you are in favour of a time scale of pay, how would you secure that the recruitment of junior officers is restricted to the number likely to be promoted in a reasonable time to posts of independent responsibility, and do you or do you not consider it desirable that all members of the Indian Civil Service should have the prospect of rising to such posts within a fixed time?—I cannot see what the introduction of a time scale of pay has to do with the recruitment. Recruitment is based on a calculation of a number of officers required to fill a certain number of posts and has nothing whatsoever to do with the scale of pay fixed for those posts. The number of posts will be just the same in a time scale system as under the existing system and therefore recruitment must be similarly made on the same scale as at present.

36341 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?—I think that a scale of pay of approximately two-thirds of that drawn by officers of the Indian Civil Service is enough to attract suitable candidates, and it would be a waste of money to offer any higher rate because you would not thereby get better officers. On the other hand I am of opinion that where an officer recruited in India has proved himself fit for selection into a special high appointment he should receive the full pay of the appointment. For example, the pay of the listed appointments of Deputy Commissioner and District Judge should continue to be two-thirds of that drawn by Indian Civilians, but if an officer of the Provincial Service is found fit for selection into a special appointment such as that of Judge of a High Court, Member of Council, Member of a Board of Revenue, Judicial Commissioner or Financial Commissioner, it is only fair that he should receive the market value of his services and should be paid at the same rate as Indian Civil Service officers. The question appears to be entirely one of supply and demand. We want a certain number of British officers for the Indian Civil Service and we must offer them a rate of pay for ordinary appointments which will attract them, together with the chance for the best officers of selection for certain special appointments which are outside the ordinary line and to which a special higher rate of pay is attached. For the listed posts which are recruited in India we similarly want a certain number of Indian officers and we must offer a rate of pay sufficient to attract persons of the required class, but if out of such officers we have men of outstanding merit fit for selection into the special appointments over the heads of Indian Civil Service officers, we must offer them a rate of pay calculated on the value of their services as compared with the value of the services of Indian Civil Service officers, that is to say, the same rate of pay as is offered to Indian Civilians selected for similar appointments. A corollary to this view is that no Indian shall be appointed to such a post because he is an Indian; selection must depend on merit and fitness. For posts to which you are going to appoint Indians because they are Indians and not because they are more fit, a rate of pay sufficient to attract Indians of the right kind should be attached.

36342 (106). Is there any reason to suppose that officers of the Indian Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—I am of opinion that the existing leave rules are no longer suitable to modern conditions. I have recently recorded a note on the alterations which I consider necessary in the leave rules in reply to a reference from the Government of India. To summarize that note I would say that the existing leave rules are defective in the following respects. They encourage officers not to enjoy their one month's privilege leave every

year but to accumulate it up to 3 months, they allow for more leave and longer periods of leave at one time than is necessary, while they prevent officers from taking leave as often as is really desirable by giving them only half pay during their leave, at the very time when their expenses are increased. It appears to me that a properly regulated system of leave would enable and encourage officers to take a holiday of a month or so every year and to take longer leave for about eight months at comparatively frequent intervals, say once every 4 or 5 years. The annual holiday which would of course be spent in this country is necessary to give relaxation from the round of official duties. The seven or eight months' leave every four or five years is necessary to enable an officer to get a change of climate and to visit his family and relations in England. Therefore in my opinion what we want is a system under which officers will be allowed less leave than they can take at present but will be given full pay during leave so that they will be able to afford to take it when they ought to have it. A system which enables an officer to take as much as 2 years' leave at a time seems to me unsound both from the point of view of the Government and of the officer concerned: a system which enables an officer to take a long period of leave before retiring when he certainly does not need it for the recruitment of his health, seems to be unpractical, and when in addition to these two defects the system of leave on half pay is found to result in officers taking far less leave than they ought to have in the interests of their health simply because they cannot afford to go on half pay, there appears to me to be very little to be said for it, and the sooner it is altered the better.

36343 (107). Is all the leave on full pay due to them ordinarily taken by officers of the Indian Civil Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—No privilege leave is generally accumulated up to three months and parts of it are lost owing to officers not being able to take it as soon as the three months' leave become due.

36344 (108). Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not what change do you suggest?—No. *Vide* answer to question (106).

36345 (109) Do you consider that the rates of furlough allowances are suitable? If not what changes do you recommend?—No. *Vide* answer to question (106).

36346 (111). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative rates fixed in sterling and rupees, and if so what change?—My answer to the first part of the question is no: neither the maximum nor the ordinary furlough allowances are liberal enough.

36347 (112). Have you any recommendation to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—*Vide* answer to question (106). If a scheme of leave on full pay were introduced, it would still be necessary to provide for extra leave on half pay for very urgent private affairs or for sickness.

36348 (113). Generally speaking, do any of the present leave rules applicable to the Indian Civil Service cause inconvenience to the Administration, and if so what, and what remedy do you suggest?—The rigidity of the rules sometimes causes inconvenience: if the rules are made more elastic, some, if not all, the inconvenience would disappear.

36349 (118). Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—The present scheme of pensions is generally satisfactory but there is room for improvement. It is I believe a fact that between £400 and £500 of the £1,000 pension given to Indian Civilians is paid for out of their annuity subscriptions. If this is so it appears to me that the amount of the Government share of their pension is very considerably less than it should be. I do not think that the Government share of the pension should be less than £850—£900 *per annum* and I think that the annuity fund should be converted into a Provident fund. Combined with this I would suggest that a liberal scale of extra pensions similar to that given to High Court Judges should be applied to the cases of other high officers. I consider that any officer who retires from the position of Lieutenant-Governor or Chief Commissioner of a Province or Member of the Viceroy's Council, should be given an extra pension of £500 *per annum* on completion of five years' approved service in such appointment and a proportionate sum for any shorter period. In the case of officers holding selected appointments of lower status such as Judicial Commissioners, Financial Commissioners, Divisional Commissioners and the like, I consider that an additional pension of £200 should be given after five years' approved service in the appointment and a proportionate sum for any shorter period. Of course if any such scheme as this is introduced it will be necessary to give effect more strictly than has been done in the past to the proposals of the Decentralization Commission in regard to selection for such appointments.

36350 (119). Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—I do not care for a sliding scale varying with the salary drawn at retirement: the only sliding scale I would propose is that for special pen-

sions for special appointments. I am in favour of a minimum non-contributory pension paid by Government which should be higher than the share of our present pensions now paid by Government.

36351 (120). Assuming the maintenance of the annuity system do you suggest any modifications in its detailed working, and if so, what and for what reasons?—*Vide* answer to question (118). It should be converted into a Provident fund.

36352 (122). Do you consider that a similar system should be applied to the cases of high Executive officers, and if so, to which? Please state the amount of pension and the conditions which you recommend as suitable?—*Vide* answer to question (118).

36353 (124). Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Yes. The reduced pensions should be on a scale not exceeding the invalid pensions, and should be liable to reduction below that scale according to circumstances.

36354 (137). Have you any other proposals to make in regard to the Indian Civil Service not covered by your answers to the above question? If so, please explain them?—There is no doubt that the Indian Civil Service is becoming less popular as a career for Englishmen. The reasons for this are manifold. One reason I have already indicated, *viz.*, the fact that under present conditions officers arrive in this country at the age of 25 and cannot expect to attain positions of importance and responsibility until they have reached a comparatively advanced age. The best men will not care for a career which involves their retention in subordinate posts until they reach 34 or 35 years of age. Then again the conditions of life in India are changing and from the point of view of English Civilians they are changing for the worse. The expenses of living have increased enormously and are still increasing. The amenities of life out here are decreasing. A career which in the ordinary line offers comparatively few attractions and involves the maintenance of a position and rate of expenditure which leaves very little room for saving against leave and other contingencies is not likely to have much attraction compared with a career in other Government services elsewhere or with a professional or business career in England. Then again, however little there may be said to be in defence of such feeling, there is no doubt that there exists among young Englishmen a feeling against entering a Service where they will have to serve with or under Indians. I do not defend this feeling, which certainly disappears with experience, but there is no doubt that it exists and there is no doubt that it is one of the reasons why the Indian Civil Service is becoming less popular. No one would suggest for a moment that the British Government should turn back from the road on which it has set out of admitting Indians more freely to the Public Services as they become more fit to carry the duties thereof. But at the same time the British Government must also face the fact that as this policy is followed out and the proportion of higher appointments allotted to Indians increases, the popularity of the Service among Englishmen is bound to decrease. Then again there is a general feeling that the Indian Civil Service is not as well regarded as it used to be by the authorities in England; in fact there is a common impression that that Service is looked upon with suspicion and distrust by some of those who ought to be its defenders. An impression of this sort, however ill-founded, is bound to react unfavourably on the popularity of the Service. Now there is no doubt that for any period which it is worth looking forward to it will be necessary to maintain the British element in the administration of India, and for the recruitment of that British element we must try to obtain not an inferior but a superior class of officers. The smaller the British element in the administration the higher should be the standard set by it. If we wish to recruit our British Civilians in future from the same classes as in the past we must increase the attractions of the Service as a career. There are several ways in which this can be done. One way is to set right the defects in the recruitment which lead to a stagnation of promotion, another way is to increase the pecuniary emoluments of the Service; another way is to offer better terms in the matter of leave and of pension, and another way is to get rid of the impression, which as I have said undoubtedly exists, that the British branch of the Indian Civil Service is regarded with distrust by some of their own countrymen in England. The British branches of the various Civil Services are necessary as a leaven to leaven the whole of the administration, they must set up a standard for all the Indian services to copy; especially is this true of the British officers in the Indian Civil Service, and it is especially necessary that they should not merely do their best, as they do, to set up this standard, but that they should feel that others recognize that they are doing so. The prestige of the Service (I use the word prestige in its best sense) will not be increased if Englishmen at home, including some of those who should be its defenders, take every opportunity of publicly displaying their distrust and suspicion of it. I am aware that the Royal Commission cannot do much to disperse the clouds of suspicion and doubt which now hang over the Indian Civil Service, but it can do much to increase the attractions of the Service, and it is for this reason that I have dilated at some length on the subject.

MR. F. S. A. SLOCOCK called and examined.

36355. (*Chairman.*) You are the Inspector General of Police of this Province?—Yes.

36356. Will you kindly tell us the length of your service?—Twenty-one years.

36357. How many years have you occupied your present position?—Four years.

36358. What position did you occupy previous to your present appointment?—I was in the Secretariat.

36359. You consider that the open competitive examination is properly a means of recruiting Englishmen only?—That is my view.

36360. You would close the door to Indians if it were not that the number of successful Indian candidates was small?—I have put the view that if there were any danger of the examination being swamped by Indian candidates I would close it.

36361. Then you go on to say: "Indeed, there is much to be said in favour of doing so now." Will you explain what you mean by that?—My view is that it was originally a mistake to admit candidates from India to the competitive examination in England, basing that view on the idea that the object of the examination is, as I say, to recruit the British Service, and that the best place to recruit Indian candidates is in India, where you have a larger field of selection.

36362. In the event of your suggestion for closing the door in England being carried out, you would start an examination in India?—Not examination. I would open appointments in India, but I would not have an examination.

36363. You favour nomination?—Yes, nomination.

36364. You also say that you are not against extending employment in the higher posts to Indians?—No.

36365. You would gradually work up to a scale of 20 per cent.?—I would go beyond 20 per cent. eventually. I am only assuming that for the purpose of my argument.

36366. You would work up to a scale of 20 per cent. now?—I am not sure that I would not go beyond 20 per cent. now. I would go as far as 25 per cent. now. That is on the assumption that you close the English door.

36367. Any increase on 20 per cent. would be on the condition that the English door was shut?—No. The other way about. If you close the English door I would open the appointments in India more widely.

36368. That is the same thing. If you close the English door you would be prepared to increase your percentage of 20 per cent. up to 25 per cent. in India?—Yes.

36369. Your form of recruitment would be from the Provincial Civil Service by increasing the number of listed posts?—Yes.

36370. You have had, I have no doubt, considerable experience of listed posts officers. Do you find from that experience that they come into their positions in the listed-posts too late in life?—Yes, I think they do. But my experience is a very small one.

36371. In advocating an increase of the listed posts officer, would you like to see him attain the position in the listed posts at an earlier age than he is able to at present?—I should.

36372. You would like to see him selected after, say, eight years in the Provincial Civil Service?—Somewhere between ten and fifteen years' service.

36373. Do you think that method of recruitment, the benefits of which would necessarily be confined to a very few selected officers, would have any discouraging effect upon the rank and file of the Provincial Service?—I am afraid I am not qualified to give an opinion on that point. It might, and it might not. I take it that in some ways it might discourage the senior men; on the other hand it would encourage the junior men; and it might possibly (though I do not say that it would) get men into the Provincial Civil Service who at present would not be prepared to come in.

36374. You propose reducing the age-limits for the examination to from eighteen to twenty, do you not?—Yes.

36375. Have you considered what effect that would have on the Indian who desires to enter the Service through an examination?—I have to some extent. I think it would be adverse to the Indian.

36376. Do you consider that an extension of the listed posts, in view of the restricting effect that your age-limit will have upon the open examination, will be a sufficient advance of opportunity to meet the aspirations of the educated Indians?—I think the arrangement should be made in such a way that it would be calculated to produce such a result.

36377. What do you mean exactly by that? Do you mean that first of all a considerable increase of listed posts should be given?—I would transfer at once to the listed posts the number of appointments proportionate to those posts which would ordinarily be held by Native members of the Indian Civil Service.

36378. You would give to the listed posts the proportion which would be lost owing to the added difficulties of the younger age, and then you would give additional posts as well to make up the increase?—Yes.

36379. Would you leave the listed posts as they are now, or would you increase their status? Would you, for example, continue to give officers in the listed posts two-thirds of the pay which is received by their fellow officers in the Civil Service?—I am not sure about two-thirds, but I would give them a lower rate of pay than the Indian Civil Service.

36380. You would not be in favour of the proposal, which has been made to us by some witnesses, that the listed posts, *per se*, should be abolished, and that these appointments should be definitely incorporated in the Indian Civil Service?—No, I do not think I would care for that.

36381. By that do you mean that as soon as officers were put into the listed posts they would become members of the Indian Civil Service?—Yes, but you would still have to list a number of posts.

36382. You would earmark a certain number of posts as you do now, but instead of calling them listed posts, you would simply say: "This man has been appointed to be a member of the Indian Civil Service"?—That is a point which has always struck me as rather difficult: and, on the whole, I should prefer that, instead of the posts being merged into the Indian Civil Service, the listed posts should be definitely transferred to the Provincial Civil Service.

36383. Your proposal comes to this, that you would appreciably reduce the opportunities of the Indian to get into the Indian Civil Service?—Yes.

36384. It would be very difficult indeed for an Indian to get into the Indian Civil Service under your scheme?—He would never get into the Indian Civil Service, but he would retain the same chance of getting into the posts held by the Indians in the Indian Civil Service as he does now.

36385. Do you think that would satisfactorily meet the demand which is made to-day by educated Indians?—I think it would probably be very unpopular.

36386. I gather from your answers that you lay great stress upon a reduction in the age?—Yes, I do.

36387. You think it important that the young Civilian should come out to this country at the age of 21 or 22, and not, as he does at present, at 25; and you have given your reasons?—Yes.

36388. You speak with a certain amount of experience on that point. You think that the young Civilian will assimilate more satisfactorily the atmosphere of the administration by entering at 21 than at 25?—Yes.

36389. You also lay it down that it is important he should attain a superior post after eight years' service, somewhere about thirty years of age?—He is calculated to do that under the present system.

36390. He does not do so under the present system. He gets in nearer 33 or 34?—Under the present system it is eight years' service, and that would make him 34 years of age.

36391. You think that is too old?—I would retain the eight years' service in inferior appointments, and let them attain these posts at 30. The reduction of the age itself would bring that into effect.

36392. In your answer to question (60), speaking of the training which you would give a young Civilian in this country, you suggest that for a portion of his time he should serve under a Police Officer. Could you tell us what kind of training you have in mind and for how long?—I should not include it in his first two years' training, because he must attain a good knowledge of the vernacular before his police training would be of any use to him. I think it would be a very good thing if some time, say in his first three years, after he has attained a knowledge of the vernacular, he could be put to much the same sort of work as the young Assistant Superintendent of Police is put to under a District Superintendent of Police.

36393. You suggest that officers for the Judicial Branch should be selected from the Indian Civil Service fairly late. You do not think there is any need for training in the position of a Subordinate Judge?—Special training in Subordinate Judicial posts,—no, I do not see any object in it.

36394. Do you not think that six months or so in that position would give a man a very useful training?—I think it would be very useful to him, but I do not think it is necessary. I would not be opposed to it.

36395. You do not set much store by it?—No.

36396. Your recommendations as to salary, leave, and pension, follow closely those of the other Service witnesses?—Yes.

36397. (*Sir Murray Hammick.*) You talk of training in the police. I suppose what you refer to is what has been done in some Provinces once or twice. You would put Assistant Commissioners on special duty as Superintendents of Police, say for six months?—Yes.

36398. You think their training would give them a knowledge of the ways of the police, and the way cases are got up, and so on, which would be very useful afterwards to them as Magistrates?—Yes.

36399. With regard to this question of Judicial training, why do you think that in these Provinces the Judges would require no special training for their appointments?—No special training in the Subordinate Judicial posts, do you mean?

36400. Or in the disposal of civil cases. Why do you think that in these Provinces it is not necessary or advisable that a Judge, who is going to try civil cases without any monetary limit, should have a previous training in the trying of small civil cases for some time?—I postulate that every young Civilian should try a certain number of Subordinate Judicial Civil cases.

36401. In the present condition of things, does every young Civilian do that?—He does not, as a matter of fact, but I say that he should.

36402. How could you arrange that he should be a Civil Judge?—He would work as a Subordinate Judge. Many of our Assistant Commissioners here do work as Subordinate Judges.

36403. Do you mean that they are simply given Subordinate Judges' powers, and are sent certain cases to try?—They are actually appointed Subordinate Judges, to the best of my remembrance. Those are men, who, as a rule, are going to be put into the Judicial line. Not all of our men are put to try these cases; but I do not see why they should not. In the same way as they try minor criminal cases, I do not see why they should not be put to try minor civil cases.

36404. You would like to see every man who is going into the Judicial Department appointed a Subordinate Judge for some time?—Some time or other before he reaches the stage of selection, of bifurcation.

36405. Before he reaches the time of selection you would try and make every officer go through this training?—If possible I should like to see every officer go through it.

36406. You do not think it is necessary that he should begin lower down as Munsif?—There is very little difference between Munsifs' cases and Subordinate Judges' cases. It is only a difference of jurisdiction.

36407. Any way you think it is an objection that Civilians should be appointed to Judgeships without having undergone a certain amount of training which they would derive from trying suits of minor importance?—Yes.

36408. You do not see any need for sending officers home to go through a course of law at home before finally going into the Judicial?—I should like to see them do it.

36409. You would like to see them sent on study leave?—Yes.

36410. Do you think it is a good way of spending public money? Do you think it would give a satisfactory result in proportion to the cost if men were sent home for eighteen months' leave to read in chambers in London?—I am not prepared to say that it would. I do not see why it should not be.

36411. On the whole, you are in favour of a very practical and long training of the Judge before he takes over Judge's powers?—Undoubtedly.

36412. On the other hand, you find fault with the existing system by which men who have only civil powers are given criminal powers without training?—Yes.

36413. That happens very much in this Province, as I understand, does it not?—It has not happened very much so far; but there are some prospects of it happening to a greater extent.

36414. (*Mr. Macdonald.*) I should like to ask you with reference to a word you use in the course of your reply to question (9). You say:—"I believe that competitive examinations where they have been tried in India have not been very successful." Would you mind telling me what you mean exactly by "successful"?—I mean that they have not attained the results desired.

36415. Do you mean that they give you an indifferent quality of man?—I understand the chief objection was that they gave you only one class of man. I know very little about it. I have seen it stated that in Bengal they had competitive examinations for the Provincial Service, and they had, partially or wholly, I could not say which, to abandon them on that ground.

36416. I wanted to know what the standard was, whether it was of indifferent quality?—I do not know.

36417. You go on and give a table about Hindus, Muhammadans and others. That is what you mean by the use of the word "successful"?—Yes.

36418. With reference to the distribution of these honours, do you know when the seven Muhammadans came in?—Two in 1910, and five in 1911.

36419. Have you any information, or have you any opinion, as to whether that represents a definite turn in the tide of Muhammadan successes, owing to the greater facilities which Muhammadans now have for passing these examinations; or do you think it is purely accidental?—I should think you could draw no inferences from them. It is only casual.

36420. You know that up to now the Muhammadan schools, from the Lower Urdu school up to the Government Muhammadan Middle School, have been rather ill-fitted to pass Muhammadan pupils right through the Universities?—The separate Muhammadan schools,—I am not an authority upon that.

36421. Further on in answer to the same question you say: "If you set apart certain posts from the cadre of the Indian Civil Service for competitive examination in India you will have" so and so. As I understand it, in answering that question, you assume that the proposal is that there should be something like a separate Indian cadre working alongside the English cadre?—That is what I understood.

36422. Supposing that is not the intention at all, but that the intention is simply to set aside a certain percentage of the whole cadre, then some of your objections which you take to this proposal would not hold good?—It depends upon how you would work it.

36423. You would not have a third system, to begin with?—No.

36424. That would go by the board. I take it your idea is that they would be selected by competitive examination in India, and would be appointed to the Indian Civil Service, only by a separate examination?—Yes.

36425. Let us understand each other. Supposing there were sixty vacancies, and one-third had to be filled up by Indian candidates to be selected partly at Home and partly in India. The twenty men would be full members of the Indian Civil Service, and just go up in the ordinary way that an Englishman would go up. That would be the idea. Your objection to the third separate cadre, that particular objection, disappears?—That objection disappears.

36426. Further down in answer to the same question you refer to listed posts, and the vested interests of the service. Supposing in the course of the last ten years, by additions to the numbers of the superior posts, or by a better grading, or some improvement having been made, the prospects of the men who came out ten years ago were improved, would you take the view that those prospects should be set off against the deterioration which would take place supposing we listed a few posts?—Yes, I suppose it would be a fair argument.

36427. You would not object to the sort of idea of a ledger balance: credit you with so much, and debit you with so much?—I think it would be a perfectly fair argument.

36428. But would it not reduce the substantial consideration of vested interests very much?—Yes, it might do that. In our particular instance, however, I do not think it would, because I think we were over-recruited to such an extent that the new posts added do not compensate. Moreover, you must remember that there are five posts wrongly included in the superior appointments.

36429. Let me put it this way. Supposing a man is the fortunate competitor in London, and you were over-staffed at the time; supposing he is the last man on the list and that if you had not been over-recruited he would not have got in at all. How does his ledger balance stand? If you had been recruiting up to your proper limit this man would have been left out of the Indian Civil Service altogether and might have had to go in for anything. On account of your over-recruiting system he has got in. On your reasoning, has he got any vested interest at all?—I think he has.

36430. He has got in by mistake?—He may have; but having once got in, he has his vested interests.

36431. It is very full of complexities?—Yes, it is very full of complexities.

36432. You propose this particular method of furlough. As I understand it, you also rather take this view, that adding furlough to privilege leave, roughly speaking, you claim, or you think

that you ought to have, about three months' holiday a year, that is, averaging it up?—I abolish privilege leave in my own system.

36433. You get your month's holiday?—Yes.

36434. I would call that privilege leave (that is what I mean by privilege leave for the time being): you have got a month's holiday every year, and two months' accumulation of furlough?—Out of fourteen months.

36435. Your scheme works out at three months out of fourteen?—Yes.

36436. Do you not think that is rather much?—No.

36437. I should like to try and get your mind upon this to see how far we agree upon it. As I understand, your view is that furlough should not be so long that the man gets out of touch with India?—Yes.

36438. Is it not in your evidence that there is a condemnation of the two years' furlough?—Yes.

36439. So that we should have to draw a line between the length of furlough which would bring a man out of his Indian rut, so to speak, so that when he came back again he would have to get into his Indian rut?—Yes.

36440. Do you say that if the unbroken work time in India has got to be very long, the furlough time must be equally long? Am I to understand that that is the reason why you want furlough to be available at four or five years instead of at eight or nine years?—Yes.

36441. If the furlough is comparatively short, the periods between must be short?—Yes.

36442. I should like to see whether you would really resist this suggestion,—that if you give furlough, say, once in five years, then your furlough period should not be more than about seven or eight months?—I think I would allow it to accumulate for five years. I would give a period up to ten months. Sometimes a man might want to accumulate up to five years. It would be unfair to say, "You must go in the middle of the period of your appointment"; and it might not be in the interests of the public service. It would, on the other hand, rarely be necessary for a man to stay in an appointment for more than five years.

36443. Coming from the time to the money, you really think that this special kind of holiday should be paid for at full rates?—Yes, I think it should be.

36444. You have thought a great deal about it, I understand?—I have thought about it more from the point of view of the Uncovenanted Civil Services, and especially from the point of view of officers in my own department, the Police; and I have not the slightest hesitation in saying that so far as they are concerned the rates of furlough pay are absolutely inadequate. I have proved it by statistics. As regards the Indian Civil Service, the rate of pay is greater, and possibly there might be a less strong argument in favour of full pay for members of the Indian Civil Service. But I think if you did not give them full pay, and gave the other Service full pay it might lead to a certain amount of jealousy, and be regarded as invidious.

36445. (*Mr. Sly.*) If your recommendation in favour of the abolition of accumulation of privilege leave and the substitution of an annual holiday were accepted, do you recommend that that should still be done even if no compensation is given in the shape of furlough on full pay?—No; I think the two are bound up together.

36446. That if no furlough is to be given on full pay in the Service it is desirable in the interests of the officers to permit the accumulation of privilege leave, as it is done at present?—It is a bad system, but I do not see any other remedy.

36447. If you abolish the accumulation of privilege leave, and give no substitute in the shape of better terms on furlough, would it not have the effect that officers in a large majority of cases would practically be unable to proceed on furlough at all to Europe?—The difficulty, of course, would be increased. There is one thing I ought to explain about privilege leave. My annual holiday is not intended as privilege leave to be earned by so much service. I put it down as one month's leave in the same light as we at present get ten days' casual leave. It is really casual leave to be taken at any period of the year. You have not got to earn it.

36448. You fill the post of Inspector-General of Police, a post which is included in the cadre of the Indian Civil Service. Can you tell us what the present orders are in regard to the filling of that post, either from the Indian Civil Service or from the Police Department?—It is open to both.

36449. Then the Civil Service is at present recruited for a post which it may not obtain?—Yes.

36450. Do you not consider that in the interests of both Government and the Service it should be definitely laid down, either one way or the other, that if it is not to be restricted to the Indian Civil Service Cadre, the Indian Civil Service should not recruit for that post?—No. It is only one post more; and if it was occasionally given to the Police I do not think that it would be a serious matter.

36451. On your own principle you are recruiting for a post which may not be filled by an Indian Civilian?—Yes.

36452. You have given an opinion in favour of a short course of practical training for Indian Civilians in the Police Department. I believe you have had some experience in the training of Police Officers in Police Schools?—Gazetted officers? We do not do it.

36453. Was it not done at one time?—It was tried for one year.

36454. Was it successful?—It was not tried in my time. I was told it had not been successful. We are the only Province that do not do it, I believe.

36455. Can you tell us why it was not successful? Was it because the principle was wrong; and that no training of officers in a Central Provincial institution could be made suitable?—I think the particular methods adopted in that case were wrong, it was partly that. I am, however, against the principle myself. I had to send up definite recommendations as to whether young policemen should go to a Training School or be attached to a district; and the Chief Commissioner, who was then Sir Reginald Craddock, decided that the balance was against their going to the Training School.

36456. (*Mr. Fisher.*) You advocate a period of training for young Civilians in practical Police work

under Police Officers. If they are to undergo that period of training they must, of course, forego some other type of experience. What particular piece of work would you recommend being dispensed with in order that they may undergo practical training under Police Officers?—I do not know for certain that you would have to forego any other type of training; because if the state of the cadre permitted, you might be able to put these young officers for six months' police work by taking them off their ordinary practical training, that is after the completion of their two years' probation and training when they have started practical work. They are still learning their work, and therefore not being given any very responsible work, and it might be possible to send them for police training for six months without foregoing any other branches of their training if it were necessary. I did once suggest that it might be substituted for the Settlement course. The Settlement course is a very short one: it does not last anything like as long as my proposed training in police work. I think it lasts six weeks or two months. This would not be enough for the police training. If you cut off the Settlement training you would not get enough time for the police training. It would therefore have to be in addition to any other form of training you now get.

36457. With regard to the examination in the vernaculars, you consider that the examination in the vernaculars should be stiffer and more practical than it is at present?—Yes.

36458. Have you got any more definite recommendations to make?—I am afraid I have not.

36459. How is the examination in the vernaculars conducted at the present moment?—The written papers, as far as I remember, are examined by an officer who is generally the Oriental Translator. The oral examination is conducted by a Board which, I think, generally consists of the Oriental Translator, the Commissioner, and some other officer stationed in Nagpur where the examination is held.

36460. The examination is controlled by the Civil Service?—Yes, it is a Service examination.

36461. Would there be a grave objection to transferring the conduct of this examination from the Service to the Universities?—I do not know whether the Universities could take it; but I do not see any grave objection to it if they could manage it.

36462. (*Mr. Madge.*) Your proposal to temper the competitive examination with nomination closes with the suggestion that "the Board of selection composed partly of retired officers of the Indian Civil Service would work best." You do not fear that the men who have passed their whole lives, or the better part of their lives, in India would shut themselves out from the very sources of information which would make such a Board useful at home?—There would not be any question of "sources of information." The intending candidates would appear before the Board. I do not recommend this proposal very strongly. In fact, the more I think of it, perhaps, the less advantages I see in any system of selection before competition.

36463. If you withdraw the suggestion, I have nothing more to say?—I only threw it out as a possible suggestion.

36464. When I speak of "sources of information," I mean the general influences which prevail in a country which help men living in that country to come to definite conclusions on any subject?—I do not suggest that any such Board should be composed of *ex*-Indian Officers.

36465. In answer to question (9), you say, "I take it that the object of these questions is to obtain opinions as to the best methods of recruiting Natives of India for the higher appointments in the Civil Service." You do not approve of a competitive system, which you think was introduced chiefly for Englishmen; but has any other method occurred to you for capturing a kind of talent which does exist in this country, though it does not usually disclose itself till late in life? Has any method ever occurred to you of selecting early in life the kind of men that we come across in independent careers who we think would make good public servants if we had them? Has any idea occurred to you of capturing that class of men earlier in life?—I should hope to get them through the Provincial Civil Service.

36466. Are they not now attracted to the Provincial Civil Service?—I think you get quite as good men in the Provincial Civil Service as outside.

36467. I do not mean to say that you have not first-rate men in the Provincial Civil Service; but I am speaking of a class of men who have disclosed almost brilliant talents in independent careers?—If you increase the prospects of the Provincial Civil Service you would presumably attract some of the men who are not now attracted.

36468. Will you help me to understand the analysis you have made? Either it refers only to a particular period of five years, which is no guarantee of results, or it is not a method of reaching the best man that you can get wholly irrespective of the race to which he belongs?—My analysis of the proportions of Hindus, Muhammadans and others, you mean: it is based only on five years' figures. As a matter of fact, I did examine similar figures which were prepared about the time of the last Public Services Commission. If I remember rightly, the proportion of Hindus to Muhammadans and others at that time was lower than it is now. It was not a very serious difference, but it was slightly lower than it is at present. The Hindu, and especially the Brahman, element has increased more than the other elements. I am not prepared to swear to the figures, but that is my recollection of the figures which I saw.

36469. What I mean is this. We want to get, I believe everybody wants to get, the best class of public servants for whom the country can afford to pay wholly irrespective of the class or caste to which he belongs?—I do not take that to be the policy of Government. The Government has laid down in more than one place that its policy is to get all classes represented. I think I am correct in saying that.

36470. The desirability of representing all classes has been recognised, but not at the expense of efficiency, has it?—I suppose the idea is that if you get all classes represented you will get greater efficiency. Certainly that policy has been followed.

36471. Do you think that an exclusive recruitment from the Provincial Service for the higher Service would destroy all chances of that *camaraderie* which may exist otherwise; there may be a sense of inferiority, so we have been told?—If you mean between the members recruited through the Provincial Civil Service and the members of the Indian Civil Service, I think that is somewhat exaggerated. It depends upon the individual more than on anything else.

36472. Do you think the sense of inferiority would gradually disappear, other conditions being favourable?—I do not see why it should not.

36473. Do you think there should be an irreducible minimum of British officers? Have you fixed in your mind any definite proportion?—Ultimate or present?

36474. For the next few years?—For the next few years I should say at the very outside 25 per cent. should be.

36475. In answer to question (11) you say:—"I would sooner see the whole 20 per cent. recruited from the Provincial Civil Service than 15 per cent. from the Provincial Civil Service and 5 per cent. from Indian members of the Indian Civil Service." Is that not with the object of abolishing all internal differentiation in the Service?—Yes.

36476. Does not that somewhat conflict with the opinion you have given us that there would be no sense of inferiority in the man promoted from the Provincial Civil Service?—There may be a sense of inferiority. I do not see that it conflicts with what I have said about the system of recruitment.

36477. In answer to question (13) you do not recommend any separate method of recruitment for the Judicial Branch of the Service. That would be, I take it, because you think that in the earlier years of his career a Civilian acquires a certain amount of information and knowledge of people, and all that, which is invaluable to him no matter what career you put him into. Would that consideration enter into your objections against recruiting from the Bar?—My objection to recruiting from the Bar is an entirely different one.

36478. This consideration does not enter at all into that because a man recruited from the Bar would not have that experience at all?—No; that is not my ground.

36479. You say that a Civilian now comes out rather late, coming out between 24 and 25, and a little further on you say that you think candidates might be got between 18 and 20, that is before they go to any University?—At the close of their High School or, Public School, career.

36480. You do not think your University career absolutely necessary?—No, not absolutely necessary.

36481. As regards the development of character between these two respective ages, do you think that India is a better place to develop English character than England?—No, though I think it is a very good place for developing character.

36482. Then it is for other reasons that you think men should come out earlier in life?—Yes; and I have stated what those reasons are.

36483. You think they come out too late. You say: "My objection falls under two heads. One is that officers arriving in India at between 24 and 25 years of age have become more settled in body and mind, in their character and convictions, and are less impressionable and less adaptable than they would be if they come out younger." That is to say, you would desire them to come out younger?—Yes.

36484. And that opinion is confirmed by what I have said about capturing them between 18 and 20 at home?—Yes.

36485. The advantage, on the one hand, would be, that the later a man comes out the more developed his character is in the more favourable conditions of English society at home?—Yes.

36486. On the other hand, the younger a man comes out the more impressionable he is to Indian conditions?—Yes.

36487. Do you consider the latter more important than the former?—As he has to spend his his next 25 years in India, it is certainly desirable that he should be subject to Indian impressions.

36488. In answer to question (15) you refer to your subjects of examination: but though you have given us a good deal of useful and interesting information you do not refer to the subjects. You would rather not deal with the subjects?—I would prefer not.

36489. In answer to question (25) you refer to the "Natives of India." Have you domiciled Europeans and Anglo-Indians at all in the Police?—Yes.

36490. In what you would call the commissioned ranks, or entirely in the non-commissioned ranks?—We have had them in both.

36491. Both classes?—Yes.

36492. Are they generally as good as, or better or worse than, their compeers?—My experience of them in the gazetted ranks of Police is very small, but, distinctly, they are not as good as Europeans.

36493. In what respect do you think they fail?—I do not say that they fail.

36494. They are not up to the mark in certain qualities?—They are wanting in certain qualities.

36495. Have they been recruited from young men brought up in good local Schools?—We have had so very few. At the present moment we have only got one.

36496. Supposing they were brought up in the best European schools available in India, in the hills, and elsewhere, do you think their heredity might tell in their favour and get rid of qualities which unfortunately may cling to them, having been brought up under worse circumstances, as far as you can judge?—As regards Anglo-Indians, I think the good specimen of the domiciled Anglo-Indian makes a most admirable Police Officer. We have a case of it.

36497. You attach some importance to the study of the vernaculars. Is it, or is it not, your experience that young English Civilians and any Europeans you may have in the Provincial Service acquire a real mastery of the language?—Some do.

36498. And some do not?—And some do not.

36499. I have heard of a European in Bengal who had passed in the higher standard, who after

he had read a homily to a ryot on some subject, was told by the ryot that he did not understand English?—I can quite believe it.

36500. Is the type of acquaintance with the vernacular here much better than that generally?—Yes, I think very much better.

36501. The proof of the pudding is in the eating, and your preference for men selected from the Provincial Civil Service is probably because those men have shown their capacity in actual work. Is that it?—Yes.

36502. (*Sir Theodore Morison.*) There is one point in your reply to a question put to you by the Chairman which I should like to clear up, as I did not quite understand it. You said that promotion would not be more rapid if a young man came out at 21 and 22?—Yes.

36503. But you recognise, do you not, that their pay at the age would be very much improved?—Yes, their pay for their age.

36504. All that it means is that they would not arrive at higher posts after a shorter term of Service?—That is what I meant. In fact, I should say that actual promotion by service would be retarded. If you get men in at 21 they are more likely to continue over 25 years than if you get them in at 25.

36505. I understood you to mean that?—Age for age they would be drawing higher pay; Service for Service there would be no difference.

36506. Age for age there would be better pay?—Yes.

36507. In your answer to question (23) you have pressed upon the consideration of the Commission the recommendation that there should be a statutory reservation for the Indian Civil Service of the higher posts?—Yes.

36508. That is rather unusual, is it not? Do you know of any other Service which has such a strongly entrenched position?—I do not think I do. They would like it.

36509. Would you extend it to other Services in India?—Yes, I think I would.

36510. Because some of them have a feeling, have they not, that they require a statutory protection against the Indian Civil Service, for instance, this particular post you are holding at the present moment. Are you prepared to give the Police statutory protection against the Civil Service. The question Mr. Sly suggested must be decided one way or the other?—No, not for my post. It may sound conceited to say so, but I would not.

36511. A certain number of posts would have to be left open?—Yes.

36512. You would not give the Civil Service a statutory right to that post, would you?—No.

36513. Would you extend the statutory privileges of the Indian Civil Service to certain posts in the India Office. What would you do for the men in the India Office?—I would not do anything for them.

36514. They are a Service, of course, like your own, recruited in the same way, and clearly you will recognise that they have the same sort of vested interests in the higher posts as your own Service. I take it for granted you recognise that?—Yes.

36515. If it is desirable to allow the India Office to have a certain number of men with experience of India, what provision would you make for those men?—I should not recruit for those posts from the Home Civil Service. I should respect the vested rights of those already in the Service. But I should not recruit from the Home Service for the posts which would be given either to active Service or retired Service Indian officers.

36516. That would mean in practice that you would give the members of the Indian Civil Service the higher posts in the India Office?—I would give them Secretariat posts. I do not know sufficient about the organisation of the India Office to be able to pronounce a very confident opinion. What I feel is wanted is one or two Secretariat officers with Indian experience, and I think preferably active service men who are still in the country and expect to go out again, or, if they are retired men, those who are only just retired. There are a lot of minor questions which go up to the India Office which really require more or less minute and recent provincial experience to deal with.

36517. Provincial experience you cannot always secure?—You can get the selected officer from the Government of India Secretariat who has had his Provincial experience not so very long before. In fact, you would select much in the same way as you select for the Government of India.

36518. You do it on the ground that it is desirable to have somewhere in the India Office, officers of Indian experience: is not that so?—Recent Indian experience.

36519. That is what the Council is there for?—Yes; but, still, the Council cannot do Secretariat work. Members of Council do not do the spade work of cases. What one wants is a man to do the same sort of work as a Secretary does out here. I take it that the Council is more or less in the position of the local administration, the Chief Commissioner, the Lieutenant-Governor, the Members of Council and the Government of India. If you had Secretaries in the Government of India who knew very little about India, the Members of Council, with all their knowledge of India, would not rectify the mistakes those Secretaries would commit.

36520. The result of your recommendation is enormously to weaken the Council of India, and to strengthen the position of the Secretary of State. I do not know whether you intended that or not?—No. I could not say what the effect would be in that way.

36521. That is the effect?—I do not see why it should be. Of course you know more about it than I do.

36522. As long as the Council contains the unique experience which it does, and which nobody brought up in Whitehall can have, a Secretary of State must have great hesitation in overruling his Council?—Still, I think that one or two Secretaries with recent or present Indian experience would be a good thing in the India Office.

36523. Was it in your mind, or are you prepared to consider, that possibly some of the men in the India Office might find useful work out here; that there should be a change?—It is possi-

ble; but I should think that is much more doubtful. The conditions are hardly similar.

36524. It would be difficult to find work for them?—It would be entirely different. After all, the Englishman who goes home from India is an Englishman. He knows, more or less, the methods of Englishmen. The Home Civil Service man, on the other hand, knows nothing of India.

36525. The Chairman asked you what your objections were to admitting Indians recruited by a separate method to the Indian Civil Service, and recognising them as members of the Civil Service. I did not quite understand your answer?—Putting them in in their place, and letting them go up along with the others? My objection to that is this: men recruited into the Commission from the Provincial Civil Service will be men of considerably more advanced age than Civilian Assistant Commissioners rising to the ranks of the higher posts. You get them in at 20 years' and 25 years' service. If you put them in in their place at the bottom of the lowest grade of Deputy Commissioners, what chance have they of rising?

36526. It was not insisted upon that they should be put in at the bottom, but that they should go into the listed post, that they should be put in at that place?—When you had a vacancy, it would be the lowest vacancy. You would promote a man already in, at the top vacancy. A man who comes into a superior appointment must go into the lowest superior appointment. What chance has he ever of rising?

36527. Let us consider that on the basis of a separate examination door. Do you wish to have a separate cadre?—I think it gives you a fairer run of promotion. They are promoted in the place of one another. They are not promoted along with Civilians who are much junior to them in the Service. The point is that eventually you will have all Provincial Civil Service men in your separate cadre. If they are put in at 20 years' service, they are put in as Deputy Commissioners or District Judges. They fill all the lower appointments amongst Deputy Commissioners and District Judges. They have no chance of rising to the top. They never come up for selection to the higher posts of Commissioner, which, I presume, it is intended that they should do. If they had their own separate cadre of superior appointments each of them must rise to the senior grade in that cadre. Their promotion is blocked by Indian Civil Service men. That was the theory underlying my proposal, that there should be a separate cadre. But I recognise the objections to it.

36528. And that there is a desire on the part of Indians to share in the prestige of the Indian Civil Service?—Yes; and that is the great objection to my proposal.

36529. (*Lord Ronaldshay.*) Your policy, I understand, is to curtail the numerical strength of the Indian Civil Service, and to enhance the status of the Provincial Civil Service by incorporating in its cadre the proportion of posts which you would cut off from the Indian Civil Service?—That is correct.

36530. Would not the result of that be that you would have two Services enormously overlapping one another? You are not going to cut out of the Indian Civil Service, I assume, the whole of one definite class of posts to incorporate into the Provincial Civil Service: you could not do that, I imagine?—No.

36531. So that the result will be that you will have members of the Indian Civil Service occupying the same posts as members of the Provincial Civil Service to a very much larger extent than now under the listed posts system?—It will be an enlargement of the present system. You already have it.

36532. I agree you have it to a very small extent under the system of listed posts, and it is precisely on this ground that I object to the system of listed posts. But do you not think it would be a really serious objection to your proposal if this system of overlapping were very much increased?—No, I do not see it.

36533. On what grounds are you advocating giving to the Natives of this country a greater share in the Administration? Are you advocating it on the grounds of efficiency?—No.

36534. Are you advocating it with a view to satisfying national sentiment? —Partly.

36535. Let us take for our example the post of Commissioner. If you are going to have an Indian Civil Service Commissioner serving alongside of a Provincial Civil Service Commissioner, do you think the Provincial Civil Service Commissioner will regard himself, or be regarded by others, as a man of equal status and position to the Indian Civil Service Commissioner?—I think that any man so selected as Commissioner would certainly be regarded in exactly the same light as the Indian Civil Service Commissioner.

36536. You think he would be regarded as in every respect the equal of the Indian Civil Service Commissioner?—Yes.

36537. I cannot see what grounds you have for not including him in the cadre of the Indian Civil Service?—My point is this. If you include them in the Indian Civil Service they never have a chance to be selected to be Commissioners, because they can never rise to the top of the rank of Deputy Commissioners unless you bring them in after exactly the same length of service as the Assistant Commissioner is promoted to Deputy Commissioner.

36538. I want to get your opinion as to whether you think sentiment in this country would be satisfied by creating this superior Provincial Service instead of giving the Natives of this country the opportunity of getting into the *corps d'élite*?—It would not satisfy sentiment; but it would satisfy people who took the trouble to think what their material benefit was.

36539. You have said that you advocated the greater inclusion of Indians into the higher posts partly in order to satisfy sentiment?—Yes.

36540. Now you admit that the scheme would not satisfy sentiment?—I do not think you said to satisfy sentiment; I think, you said, to satisfy aspirations.

36541. When you said you advocated this partly to satisfy sentiment, on what other grounds do you advocate giving greater facilities to Indians?—We have set out to educate our Indians and have promised them a larger share in the administration; and we have got to do it. We

are educating our Indians on English lines with the object of trying to bring them up to our own level; and if we are doing that, surely, we have got to satisfy the promises we have made to them.

36542. You also advocate your scheme in order to satisfy what you regard as legitimate expectations?—Yes; but I do not see why we should consider sentiment too much.

36543. Brush sentiment aside, and you think legitimate expectations would be satisfied by the creation of these two over-lapping Services?—I think they should in my opinion, but I do not say it is certain that they would.

36544. Now with regard to selecting men from the Provincial Civil Service at an earlier age. Of course the Indian Civil Service officer does not get a superior post in the ordinary way until he has served, I suppose, for about eight years?—He gets it, I think, in this Province at thirteen or fourteen years; but he is supposed to get it at eight years.

36545. He is supposed to get it after eight years in this Province, but he does not probably get it until twelve or fourteen years' service. Do you think it would be impossible to pick men from the Provincial Civil Service after they have served for eight or ten years, or, in this Province, for twelve or fourteen years with a view to promoting them to the lowest grade of Deputy Commissioner?—I do not say it would be impossible; but it is a change which would have to be introduced very slowly, because you run the risk of disgusting the senior men. If you started picking men at a very early age, say after twelve years' service, you disappoint all the men above those whom you select. There are men in the Service who think they may end up their career as Officiating Deputy Commissioners at 25 years. You would disappoint all those.

36546. Under the present system your promotion to the Rs. 500 grade of the Provincial Civil Service is not by seniority?—I think it is above Rs. 400.

36547. I will not quibble about the particular grade; but there is a period in the Provincial Civil Service officer's career when he is selected for promotion not by seniority but on his merits?—By seniority tempered with selection. You would not go right the way down to the Rs. 200 grade to take a man into the Rs. 500 grade.

36548. Tempered with selection. Can you tell me whether that system is a source of discontent in the ranks of the Provincial Service?—I do not think it is a source of discontent except to those who are passed over. I think by the Service at large it is approved.

36549. An unsuccessful man, I suppose, is never quite satisfied that he has got his deserts. You really think that that would be a serious objection to the scheme of selecting Provincial Service officers at a comparatively young age for promotion?—Yes.

36550. Would it be an insuperable objection?—Under present conditions, I think it would. Your Assistant Commissioner rises after eight years' service to Deputy Commissioner, and the scale of recruitment is calculated so that he shall do so. There is no such scale laid down for the Provincial Civil Service, and the Provincial Service is something like twice as large as the number of Assistant Commissioners. Therefore, obviously your field of selection is very much wider, and you must get in men who are considerably older, unless you go right away down to the bottom.

36551. Are you aware that this system of selection of one class to the higher class is, as a matter of fact, put into practice in the Home Civil Service, that a man from a lower Service is selected for promotion into a higher Service?—Yes, I have heard that. I have heard that there are complaints about it.

36552. If that is the practice in the Home Service, do you think that it would be impossible out here in the Indian Service?—I do not know enough about what the Home Service does to say.

36553. If you do not know I will not ask you. I wondered whether you knew of that system?—I do not know whether they select men high up in the low grades, or low down.

36554. With regard to what you say as to the falling off in the popularity of the Indian Civil Service, you have given us a number of reasons why, in your opinion, the attractions of the Indian Civil Service are not nearly so great now as they have been in the past, I should like to ask you exactly what you mean by one of these reasons you have given. You say, "There is a common impression that the Service is looked upon with suspicion and distrust by some of those who ought to be its defenders." I want to know what you mean by that?—I refer to what I have read in the papers.

36555. That you have seen it stated in the English papers that the British branch of the Indian Civil Service is regarded with distrust by people at home?—No. I have read speeches and articles which can only have been inspired by a desire to decry the British Civil Service out here.

36556. You are referring to criticisms which have been made?—Yes. Nobody objects to fair criticism. It is unfair criticism we object to.

36557. What were the attractions which you yourself saw in the Service when you decided to go into it? What was it that really persuaded you to endeavour to become a member of the Indian Civil Service?—It is rather curious. It is very difficult for me to say, because the reasons were very mixed. I never had a relation in India, and I knew nothing whatever about the Indian Civil Service. I think the thing which influenced me most was that a certain boy I knew at school had passed the Indian Civil Service. I asked him about it, and I made enquiries. I said, "If he can, I can." I more or less contemplated the probability of going into business, or possibly being forced into becoming a cleric. I did not fancy that at all.

36558. You thought that the Indian Civil Service would be a more attractive career?—Yes.

36559. You derived that impression from conversation with a man who had already passed into the Service?—One boy who had already passed in.

36560. Do you mean to tell me that at the present day men who have fairly recently passed

into the Service would not be likely to recommend their younger friends to come out here? Is that what you mean by a "decrease in popularity"? —Yes, undoubtedly. I have heard complaints from men who have come into the Service in recent years. I never heard it among men who came in at the same time as I did. I think it is partly because they come out older, and partly on account of the natural tendency of Englishmen to decry anything which they have to do with.

36561. Do you think that this falling off in attractiveness of which you speak very strongly in your written evidence has had any appreciable effect upon recruitment to the Service already?—I understand that of the careers selected by the successful candidates the higher men always now choose the Home and Colonial. In other words, we do not get the best men who pass through the combined competitive examination. I was under the impression, I am told I am wrong, that the number of actual candidates has fallen off; on the other hand, if the attractions of the Service to Englishmen had not decreased I take it the number of candidates would have increased enormously, because I think the field of selection in England is so much greater now-a-days. There are far more men with intellectual attainments to justify their going up for the examination now than there were ten or fifteen years ago, probably more than double. Therefore the number of candidates ought to be more than double.

36562. Your view upon that point is that you are at the present time getting men who are practically the equals of the men you got in in the past, but as the result of the wider field from which you are now able to select men you ought to be getting men who are even superior to those who come out here?—Yes.

36563. (*Mr. Standen.*) You told Mr. Ramsay Macdonald that you think it would be fair to set off against the deterioration of prospects owing to the listing of appointments, increase in the rates of pay and also better grading?—An increased number of higher appointments—that is what I said.

36564. You mean an increased number of higher appointments made in any form?—Yes.

36565. Is it conceivable that with an increased number of higher appointments you may have men who have completed 8 years' service holding for a period inferior appointments?—Yes.

36566. Do you consider that in that case vested interests have been satisfied?—No.

36567. The point of vested interests turns on the question whether men of 8 years' service are holding superior appointments?—Yes.

36568. In comparing the pay of an Indian and an Englishman, would it be fair to make an allowance that an Englishman has to make journeys to his own country more or less at frequent intervals and to keep two establishments one at Home and one here?—That is a point which should be considered in offering the rate of pay.

36569. Supposing you are comparing the value of certain pay given to an Englishman with that given to an Indian, and supposing that both are given an equal pay, do you not think that the Indian is better off than the Englishman?—Of course he is.

36570. As regards the age-limit, you wish to reduce it to 18—20?—Yes.

36571. Do you think that it would have the effect of driving away boys from the school at 17 or before?—That is one of the objections to that system.

36572. In your own experience before you passed the examination you did not find that to be the actual case? What was the age-limit: was it 17 to 18?—18 to 19.

36573. Was it not 18 to 20?—It was over 17 and under 19.

36574. Do you know boys who had been at crammers when 16 or 16½ years old?—I could mention cases. But the majority did not go to crammers for more than 1 year or 1½ years.

36575. Then you say that boys leave school at 16 or 16½?—Yes.

36576. Would you consider that too early?—I think that is the objection to the system.

36577. Do you think it possible to get round it by insisting on a certificate that the boy had been at school till 18?—I think it would be a difficulty so far as private candidates are concerned.

36578. Would that be any objection?—I do not think that that would be any serious objection, but it would constitute a breach of freedom of competition.

36579. Do you think there would be any difficulty in distinguishing between a cramming establishment and an ordinary school? There again I do not see how you can.

36580. I want you to give us your views about the separation of the judicial and executive functions. You have had experience of the police department both from inside and outside it. Supposing the police put up a case before a Magistrate in an imperfect manner, what is the Magistrate's duty? Supposing they do not produce all the evidence that appears to be available?—If they do not produce it, the Magistrate will send for it.

36581. Have you ever had to find fault with Magistrates for not taking sufficient trouble in that respect when you were a District Magistrate?—I have had.

36582. Would it be correct to say that it is not an uncommon thing for a Magistrate to do so?—Yes.

36583. Supposing you had then been not in the position of a District Magistrate and the head of the police, but merely a Joint District Magistrate, responsible only for seeing that the decisions of Magistrates were generally correct, and you had no responsibility at all for the maintenance of peace and order in the district, do you think you would have been as keen about detecting instances in which Magistrates have been guilty of neglect of duty?—I think I would.

36584. You do not think that the fact of your being a District Magistrate would not alter your position?—I would perhaps look into the work of the Magistrates rather more closely, because you would have more time to go into calendars.

36585. Supposing these Magistrates were in the same department as the Civil Judges now are and have never been in the habit of considering themselves as Executive Officers responsible for the

peace and order in the district, do you think that they would have the same feeling as they would otherwise have?—Judging from experience, I should say that there is great difference between the Magistrate and the District and Sessions Judge. A Magistrate looks into things for himself, but a Sessions Judge waits till things are brought to his notice.

36586. One is a Judge and the other is a person with Executive functions?—I was referring to a Magistrate who was separated off and became District Judge.

36587. And who has had Executive experience?—Yes.

36588. Do you think that in that case there would be any objection to the separation of Magisterial and Executive functions on that score, that the Magistrate would be less careful in making sure that he had got all the evidence available?—There will be a strong risk of the District Magistrate taking up the position of a Sessions Judge.

36589. There would be risk?—Yes, but I do not think that objection would be such a serious one, not so serious as the others.

36590. As regards the other objections taken, such as friction between the two services, do you think that there is anything serious in that?—There is the risk of friction.

36591. At present does it at all frequently happen that the police and the magistracy are on bad terms?—I have known cases.

36592. And you think that these cases would increase if the head of the magistracy and the police was not the same man?—They would undoubtedly increase.

36593. In the instances you have known, you consider that the administration of justice suffered seriously?—It is bound to suffer.

36594. Have you known instances in which it has certainly suffered owing to friction between the two?—I have.

36595. (*Mr. Thakur.*) You propose a separate cadre of listed posts?—Yes.

36596. If the number of men in the cadre are less than the number of grades, and supposing that only two men that were in it were retiring at the same time, will you give a walk-over to the first grade, there being no one in the intermediate grade? Suppose there are three or four grades and there are only two men of the Provincial Service in the listed posts as at present and both happen to retire at the same time and all the three grades are vacant. Whomsoever you would propose for these appointments in the separate cadre proposed, would you give them a walk-over to the first grade. Such a contingency as I am contemplating is likely to happen, there being fewer men in the list than grades?—I do not quite follow you.

36597. At present there are three grades, and suppose men at the top and the middle grades happen to retire at the same time?—If there are two officers, there can be only two grades. That is my proposal.

36598. What grade would you give them—I suppose they will be Deputy Commissioners or Sessions Judges?—Yes.

36599. Suppose at present there is one provincial officer who would be in the topmost grade, another in the middle grade, and no other officer in any of the other grades, there being only two, and suppose both retire at the same time and if you have to bring in two officers from the provincial service, will they have a walk-over to the topmost grade? I would leave to the Chief Commissioner to decide it. I cannot conceive the circumstances you mention.

36600. It is possible?—Yes, it is possible, but I cannot imagine it.

36601. Supposing there is only one post in the topmost grade and supposing the officer who holds that post retires, which side will you give it to? Is it to the Provincial Civil Service cadre side or is it to the Indian Civil Service cadre side?—It must be given to the senior man in the next lower grade.

36602. But which side? Will you pass over both men in the higher grades?—I do not understand you.

36603. There is one post of senior Divisional Judge in the Central Provinces, which is open to the Provincial Service. You make a separate cadre?—That post which is reserved for the Divisional Sessions Judge will continue to be reserved for the Divisional Sessions Judge.

36604. When the cadres are separated, there will be a District and Sessions Judge on the Civil Service side and there will be a District and Sessions Judge on the Provincial Service side. There being only one post of Senior Judge, from which side would you promote?—They are different cadres.

36605. To which side will you give the one post?—There is no question of promoting either the Indian Civil Service man or the Provincial Civil Service man.

36606. Supposing you went in for a separate cadre, there is only one senior Sessions Judge?—That will not be transferred, I take it.

36607. Then the Provincial Service will forego their present right of rising to the senior Sessions Judge-ship?—That is purely imagination. The cadre of the higher posts will be fixed according to the merits of the case.

36608. How will the cadre of the Service be separated if all the posts in the cadre are not distributed on each side?—The cadre in the Provincial Service would have certain posts in the line of Deputy Commissioners and Sessions Judges, which would be attached to the Provincial Service cadre, and officers of the Provincial Service would be promoted to those separated posts. They would have no *huq* for the posts reserved for the Indian Civil Service cadre. What actually would be transferred, it is impossible for me to say.

36609. You cannot say whether a post singled out by itself would be put into the Provincial Service or not?—It is impossible to say which is the post that will be transferred. A certain number of posts will be transferred and their pay will be fixed.

36610. That is not my point. To make it clear I will give you an instance. Now there is the senior Divisional and Sessions Judge's post. Suppose there is a problem of separating the cadres, to which side will you give it? Will you

give another post to the Provincial Civil Service side or will you leave them without it?—I should certainly retain the senior Divisional Sessions Judge's post in the Indian Civil Service cadre.

36611. And leave the Provincial Service side without one?—They might have another or not.

36612 Will not your objection to Judges who have civil work being appointed Sessions Judges be obviated by having Judges to do both civil and criminal work together? Instead of there being a separate Magistrate and a separate Civil officer, if the same gentleman did both kinds of work, civil and criminal, will he not be trained in civil and criminal work and be fit to be promoted in time to the Sessions Judgeship?—If civil judges did criminal work, that is if subordinate civil judges did criminal work, then the objections to promoting them to be Sessions Judges would disappear, so far as that objection is concerned.

36613. That is the only objection, I suppose?—Yes.

36614. About the deficiencies of a case being made up by a Magistrate, are there not public prosecutors who appear before magistrates?—Every district has got a prosecuting Inspector.

36615. Will it not be his duty to see what are the deficiencies in a case and to make up all the deficiencies?—He appears in under 5 per cent. of the cases in a district.

36616. You do not expect in the course of development he should appear in all important cases?—He does appear in all important cases.

36617. If there is anything wanting in a case, is it not his duty to bring it before the Magistrate?—In important cases he does it, if he is an efficient prosecutor; but in the 95 per cent. of the unimportant cases, which are the cases that really concern the people, the matter is different. There is no prosecutor; and there is no one to put right a deficiency, except the Magistrate.

36618. Do any of them fail for want of missing links or something of that kind?—They may or may not fail. But the prosecution record is not as complete as it might be.

36619. Would it not be anomalous for a Magistrate to take up the position in every case of judge and prosecutor? If a case is not clearly put before him by the prosecution and if there is anything wanting in the case, you say that he should himself move and try to make up the deficiency in the case?—Certainly not; but it is the duty of the Magistrate to see that justice is done.

36620. It is the duty of everybody to see that justice should be done?—It may be that the prosecution side may not call a witness, whose evidence may help the accused. The Magistrate can call that witness as a court witness. He has power under the Criminal Procedure Code to call for court witnesses.

36621. That he can do whether on the one side or on the other. Whether a Magistrate is on the judicial side or on the executive side, he can always exercise the powers conferred upon him. What is the special difference that will be made in the case of a magisterial officer who is on the executive side?—There is no difference. I suppose he would still call court witnesses, as if he were on the executive side.

36622. Whether he is on the civil side or on the executive side it makes no difference, so long as the Criminal Procedure Code gives him the power to call for fresh evidence?—He would retain exactly the same powers in trying cases as he does at present.

36623. In answer to question (104) you say that a Provincial Service officer may get full pay, if he is put in certain posts, and two-thirds of the pay if he is put in certain other posts. Will you kindly let us know on what this difference is based? On what ground should he draw less pay when he fills a certain post and should draw the full pay when he fills some other post?—I think I have stated the grounds.

36624. Nothing else except that he is specially put in?—He is specially selected for an important post over the heads of Europeans who might equally have been selected. If he is specially selected, his value should be considered with reference to the value of the European officers on the same post.

36625. You take the post of Deputy Commissioner and Commissioner. When a Provincial Service officer is selected for a Deputy Commissioner's post, he is also selected for his proved ability and merit?—Not as compared with European officers. He is selected for a certain post which is reserved for the Provincial Service.

36626. I take it that your proposal is to have a separate cadre for the Provincial Service. Would the post of Commissioner be also reserved for them?—My idea is, if a member of the Provincial Service cadre is selected for an appointment like that of a Commissioner, the Provincial Service cadre would lose one of the Deputy Commissioners' posts so long as a member of that Service held the post of a Commissioner, so that the total number of superior appointments would not be exceeded.

36627. This post of Commissioner would not be in the Provincial Service cadre, according to your scheme?—I would not be prepared to put it, at present, in the Provincial Service cadre.

36628. How will the promotions for this post be managed?—He will be selected for it.

36629. Can he be promoted to a post without the post being in the cadre?—I suppose that could be arranged.

36630. In settling the pay of these listed posts will the doctrine of supply and demand apply to them?—There will be two rates of pay.

36631. You say "the question appears to be entirely one of supply and demand." As regards the listed posts the men to be selected for them are from a small circle, and if that be so, is there any room for applying the doctrine of supply and demand in that case?—The rate of pay would certainly be fixed by the doctrine of supply and demand. For certain posts you would attach a certain rate of pay sufficient to attract the class of men that you want to get.

36632. I suppose men are to be selected from the Provincial Service. It is not of their own choice that they will get in, some members would be selected and put in?—Quite so.

36633. Then there is no question of supply and demand?—That will come in when he enters the

Service. Suppose you are able to offer only appointments on Rs. 200, you would not get that class of men that you would get by offering appointments on Rs. 800 and that is what I mean by supply and demand.

36634. Except that consideration, there is no other consideration which enters into the matter? —There are other considerations. It is not an absolute consideration of the rate of pay. If you do not get your men, you must offer a rate of pay that will not only attract the men that you want, but that will enable them to maintain their position in a proper manner.

(The witness withdrew.).

PANDIT GOVIND RAO SAHASRABUDDY, Member of the Local Board, Linga.

Written answers relating to the Indian Civil Service.

36635 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The present system of recruitment by open competitive examination in England for the Indian Civil Service is satisfactory in principle. Because it has produced best servants: who have done the best work one can do under most trying and complicated circumstances.

36636 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The system is equally good for "Natives of India."

36637 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty? —I am not in favour of simultaneous examinations in India and in England. Because the man who can be fit for work in India must be well versed in Western education, culture and science. The model for Indian improvement is England. The man who does not know England can do no good to India. I beg to say that simultaneous examinations are advocated by many and many grounds are put forward in support of it. But on the face of it these two appeal the most, *viz.*, (*a*) the expenditure incurred by the Indians in going to England, (*b*) sending young men to England where so remote from home and friends he may fall with bad associations and learn bad habits. (*a*) Unless the boy shows special intelligence in his studies at colleges here, the parents do not make up their mind to send him to England for Indian Civil Service examination. Now if he is successful the good pay (from Indian point of view) he gets here on his return is quite sufficient to make good the amount spent. For the poorer intelligent class some scholarships may be created to be given after some University qualification. (*b*) The Indians and their friends in England must make arrangement for better supervision than that at present. They are seriously thinking of this at present. This is a manageable evil and can easily be removed.

36638 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—Requires no answer, from my point of view, as I strongly maintain that education in India cannot at all compare with that of England.

36639 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I propose that some appointments should be made in India to the Indian Civil Service: 25 per cent. in my opinion is enough. I would like the method (*b*) combined nomination and examination. The examination must be some university one and while nominating the authorities should consider the claims of different communities. Certain rules will of course be necessary for the guidance of the authorities.

36640 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—They should still be eligible for appointment in England.

36641 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—I would like it to be supplementary, otherwise where is the increase in number of posts for the Indian "Natives of India."

36642 (11). Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—The Judicial Branch must be recruited from men having law degrees. At present there are many Indian Civil Servants with law degrees, and if some more consideration is shown for qualifications in law we will easily get men with law knowledge sufficient for judicial work.

36643 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Acts, 1870 (33 Vict. c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for

temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—The definition is quite good, as it puts every Indian subject of the King on an equal footing.

36644 (13). If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons?—The age I would recommend must be 23. This will help the Indian student as the Indian university does not permit to matriculate under the age of 16.

36645 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—At the age of 25.

36646 (15). What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India and for other natural-born subjects of His Majesty?—The age-limit of 23 as suggested by me is particularly in the interest of Natives of India and I believe this will very well suit both.

36647 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your Province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—The system of recruiting military officers in the Indian Civil Service should be re-introduced in my Province (Central Provinces); because some 15 years ago they were here, and there is hardly any district in the province where some good Colonel's memory is not cherished for some noble deed done for the district people.

36648 (23). Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers, from other Indian services?—My experience is limited to military officers only.

36649 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—This is a good system and gives encouragement to the members of the Provincial Civil Service.

36650 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—They must undergo a probation.

36651 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—The probation must be for two years. The probationers must learn the language, agriculture and settlement of the Province to which they are posted. They must study the people and country in general. Small routine even as little things make much.

36652 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—If the Natives of India are posted to the Province to which they belong, in that case they will be required to study very little of the things mentioned in question (30), but if they are posted to some other Province, then the difference between Province and Province is such a great one that both shall have to study equally hard.

36653 (32). Do you consider that the probationer's course of instructions could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India, and of other natural-born subjects of His Majesty?—Probationer's course should be spent in India both by Natives of India and other natural-born subjects of His Majesty, and the place must be province in which he is to work.

36654 (33). Do you think it desirable to start at some suitable place in India a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—No college is desirable. The best places will be the public offices and the Government firms, etc.

36655 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—The Provincial Governments should arrange for training at such places as they deem proper for instructions.

36656 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—I am not satisfied. In fact there is very little training. My suggestions for the change, *vide* answers (30) to (34) both inclusive.

36657 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I think there has been a deterioration for reasons: (*a*) There are now many good English books on subjects Indian. (*b*) Almost all good vernacular books have been translated. (*c*) In the office too he hardly has the use of vernacular as all his subordinates know English. Some 20 years ago, there were Tahsildars, even Deputy Collectors, who knew not English. (*d*) The standard of departmental examination also is not sufficiently high. He must learn vernacular simply for test of the language, for which he has very little time. They can attain proficiency not in Indian vernaculars, but in Arabic, Sanskrit, and Persian. There are examples of this in this Province.

36658 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch?—Law ought to be made a compulsory subject for Indian Civil Service examination. For Judicial Branch they ought to take some Law Degree not less than LL. B. standard.

36659 (38). Do you recommend any special course of study in law in India for officers selected for the Judicial Branch?—Yes. Two years of probation suggested for service in general must be spent by the Judicial Branch in subordinate Judicial Service. They may be called Assistant Judges.

36660 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—Nothing is desirable.

36661 (41). If you have recommended the introduction of any scheme of direct recruitment in India, for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited?—For direct recruitment to the Judicial Service, the candidate must have practised at the Bar for not less than three years and then no separate training is required.

36662 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No difference is necessary.

Written answers relating to the Provincial Civil Service.

36663 (51). Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The rules are good and fair.

36664 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the Province to which it belongs?—Yes.

36665 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—As far as my province is considered, there is a fair division.

36666 (55). Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend?—It is quite satisfactory.

36667 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—If better pay is given, it will attract better men specially in Judicial Branch, as professional men in Service compare their income with those in profession.

36668 (63). Are you satisfied with the present system of superannuation pensions for officers of the Provincial Civil Service? If not, please say what modifications you would suggest, and on what grounds?—The rule is good.

PANDIT GOVIND RAO SAHASRABUDDHY called and examined.

36669. (*Chairman.*) You are a member of the Local Board of Linga?—Yes.

36670. Have you served in the Provincial Service?—I was for a time Naib Tahsildar.

36671. For how many years did you occupy that position?—For nearly three years.

36672. What is your caste?—I am a Mahratta Brahman.

36673. You do not like simultaneous examinations because you think that an Indian who does not know England cannot be of use in the Indian Civil Service, and you reject a separate examination for the same reason?—Yes.

36674. You would recruit 25 per cent. of the Indian Civil Service by combined nomination and examination in India?—Yes.

36675. What is the examination to which you refer?—Any University examination.

36676. You mean that you would recruit by some form of nomination and selection from among those who have taken their degrees at a University?—Yes, that is what I mean.

36677. Would you place such recruits directly into the Indian Civil Service?—Yes, but they will require some training.

36678. What training would you give them first?—Training in executive work or judicial work, whichever they will have to do.

36679. Would you send them to England for training?—Yes, for two years.

36680. You would keep the listed posts in addition and you would also give certain State scholarships to enable more Indians to pass in England?—Yes, for more Indians to pass.

36681. If all these processes were in operation at the same time, would you not be recruiting for the Service a very large number of Indians?—Not necessarily, I say 25 per cent.

36682. But if you retain the whole of the listed posts how many scholarships do you suggest should be given?—The number of scholarships depends upon funds, upon the money that we can spend upon it.

36683. How many scholarships do you propose to give?—At least ten.

36684. You anticipate that some of the scholars would be successful?—Yes.

36685. You are going to get 25 per cent. into the Indian Civil Service by nomination ?—Yes.

36686. Then you will have a good deal more than 25 per cent. of Indians in the Administration ?—Yes.

36687. You are prepared for that ?—Yes.

36688. In your answer to question (60) you refer to the relative attractions of the Bench and the Bar. What sort of incomes are, in your experience, being made by average men at the Bar now ?—The average income is nearly Rs. 500 or Rs. 600 so far as good pleaders are concerned.

36689. What income should you say that an Indian gentleman occupying a position of responsibility would require to maintain himself and his family, taking into consideration the present cost of living ?—Anywhere between Rs. 800 and Rs. 1,000.

36690. Do you think that practising lawyers with established positions would be likely to take up judicial appointments if an opportunity were afforded to them ?—They will, if they are given pay equal to their earnings in the profession.

36691. You suggest that the probationary period should be spent in India by European civilians ?—Yes.

36692. And you lay stress on raising the standard of the departmental examinations in the vernacular languages ?—Yes.

36693. You think that the form of training given to Civilians in the vernacular languages should be improved ?—Yes.

36694. Is it your experience that there has been deterioration on the part of civilians in speaking the languages of the country ?—Yes; there has been deterioration.

36695. To what do you attribute that ?—Because they require now very little use of the vernacular in their office work. Almost all the clerks know English and all the attractive vernacular books have been translated into English, and therefore if they want to study the vernaculars, it must be merely for the taste of the language.

36696. In other words the whole administration has developed so greatly in recent years that the civilian has not the opportunity of constant contact with the Indian that he had under a less developed *régime* ?—Yes.

36697. (*Lord Ronaldshay.*) You say, at the end of your answer to question (6), "the Indians and their friends in England must make arrangements for better supervision than that at present." That is to say, supervision over Indian students who go to England to prosecute their studies. "They are seriously thinking of it at the present moment. This is a manageable evil and can easily be removed." When you say that they are seriously thinking of it at the present time, do you mean that they have actually any scheme which they propose to put into operation—any scheme of supervision over Indian students ?—They are thinking of it.

36698. They are only thinking of it and they have not got beyond the stage of thinking ?—That will be developed, I hope. Many a big man is thinking about it and it will be successful.

36699. Have they got any definite proposal in their mind for dealing with this matter ?—Not yet.

36700. Nothing definite ?—Nothing definite.

36701. (*Sir Theodore Morison.*) In your answer to question (22) you say "there is hardly any district in the province, where some good Colonel's memory is not cherished." Do you think that Military officers are more popular with the people than Civilians at the present day ?—With some classes they are more popular. For example with the members of the Rajah's families and Talukdar's families, they are more popular.

36702. With what classes are they not popular ?—With the pleader class.

36703. On the whole, you think that they are more popular ?—They were more popular. Times may be responsible for it. Times have changed now. In those times they were more popular.

36704. (*Mr. Madge.*) You say in answer to question (6) that "the man who does not know England can do no good to India," and you strongly object to the simultaneous examinations, because "the man who can be fit for work in India must be well versed in Western education, culture and science. The model for Indian improvement is England." Do you not believe that India has produced men of talent and character, who commanded the respect both of Indians and Europeans, though they had not been to England ?—There have been such men, India has produced such men. What I mean is men who have to govern India and who are to give Indian people a culture.

36705. I do not want to mention names, but we have had names mentioned of eminent Indians who were respected and admired by everybody who knew them. How did they come up to that condition ?—They must have had great social intercourse with Europeans and must have had European friends.

36706. You think that touch with Europeans in India has transformed them ?—Yes.

36707. In answer to question (31) you say that "the difference between province and province is such a great one, that both shall have to study equally hard." Applying this principle to the points other than that to which you have referred, do you think that the difference is so very great that there are objections to men of one province being given appointments in another province ?—Yes. Men from Bombay will not do for Bengal, because Bengal is a different country from Bombay.

36708. That would mean that the feeling of nationality as we hear it spoken of is a bit of romance ?—I do not mean that. I mean only for the purpose of learning the country. In the matter of knowing the habits and the customs of the masses and in learning the nature of the work to be done, they shall have to learn them equally with the foreigners coming from England. If for an instance a Madrasi is put into the Bengal service he will have to learn as much about the Bengal service as an Englishman.

36709. You are not comparing Englishmen and Indians in your answer to question (31), but you are referring to Englishmen and not to Indians ?—I am referring to Indians also. If an Indian from the Bombay Presidency, after passing the Indian Civil Service examination, be posted to the Punjab, he will have to learn as

much about the Punjab, as the Englishman who passes the Indian Civil Service, and is posted to the Punjab. Being a Bombay man, he will have no idea of the ways of the Punjab man and he has to be there at least for two or three years before he can learn the manners and the customs of the Punjab people. Life in Bombay is quite different from what it is in the Punjab, and the same is the case with regard to social matters also.

36710. You say in answer to question (36), that the standard of departmental examination in vernacular is not sufficiently high. Would you give them other subjects or more text-books? What is your idea?—I would give them difficult text-books, and I would ask them to study the language with grammar and learn the colloquial portion of it. The standard must be as good as the primary standard in the vernacular school.

36711. You want to raise the departmental examination to the primary standard?—To the standard of the upper primary schools—vernacular schools.

36712. You have recommended that, if the method of recruitment in India is to be adopted, it has to be a system of combined nomination and examination. Why do you want nomination and examination in India?—To satisfy the claims of the different sects of the community in India. Muhammadans, Mahrattas, Bengalis and others, representing other communities, should be nominated in the Province.

36713. Why do you want different communities and sects to be represented?—Every community must have its men in the Government. They must have equal claims for the Service.

36714. Every community desires to have its own men in Government service?—Yes. They want to have positions in the cadre.

36715. Every community desires its own men to have a position in the cadre?—Yes.

36716. Will there be any practical difficulties accruing, if this does not happen?—No, there will be little outcry, sorrow and regret.

36717. Does it really affect the efficiency of the administration or does it not?—It will affect the administration. Suppose there is a question to be decided for the good of a community, Muhammadans, Mahrattas, or Bengalis, the members of the particular community must take part in deciding its own questions.

36718. So far as your own province, the Central Provinces, is concerned, do you wish the system of separate recruitment to be restricted to the Central Provinces?—I do wish.

36719. Would you object to a Mahratta Brahman of Bombay coming to your province and serving here?—I do not object on personal grounds. Why should they come here? There is Bombay for them and we have Central Provinces for us.

36720. You want to keep the Central Provinces for the residents of the Central Provinces?—Yes.

36721. (*Sir Murray Hammick.*) I should like to know your history exactly. You said you were a Naib Tahsildar?—Yes.

36722. For how many years?—For nearly three years.

36723. Then you resigned the Government service?—Yes.

36724. How long were you in Government service altogether?—Altogether for seven years. I was in the ministerial line.

36725. I suppose you are a landholder?—I am a malguzar.

36726. You do not plead in Courts?—No. I am not a pleader.

36727. Where is the Local Board of Linga?—It is my village, Malguzari Village, in the Narasinghpur District.

36728. That is up in the Narbada Division?—It is in that division.

36729. Is it a Tahsil Board?—Yes.

36730. What is the Tahsil?—Gadanvara Tahsil?

36731. You are a native of that country?—I am domiciled there.

36732. You have always lived there?—Yes.

36733. Your forefathers lived there before you?—Yes.

36734. You want very much to keep the service in the Central Provinces for the Central Provinces people?—Yes.

36735. You do not wish to see outsiders coming to the Central Provinces?—No.

36736. You are not satisfied with the way in which civil officers speak the vernacular language now?—No. I have seen a Commissioner addressing a Durbar in English, while 99 per cent. of the people comprising the Durbar did not know English.

36737. How old are you?—40 years of age.

36738. You think that when you were a boy they spoke the language better than they do now?—Yes.

36739. You do not like a Durbar being addressed in English when a great many of the audience do not know the language?—I do not like it.

36740. So you would like to see them talk the language a little better?—Yes.

36741. What you want then to see is that a Civilian of the Central Provinces is able to talk the language of the educated people better than he can now?—Yes.

36742. You would like to see the colloquial test made more severe?—Yes.

36743. You are satisfied with the present system of appointing judges in the Central Provinces and you don't want to see any alteration in it?—No.

36744. You would like to see some more Indians come into the Indian Civil Service by a system of nomination, and you are against simultaneous examinations because it would not prevent you from getting into the district people of one class and you would like to see a fair distribution of appointments among all classes of the population?—Yes.

36745. (*Mr. Standen.*) You say that you would like all important communities to be represented in the Government service. Do you think that the appointment of a member of one of the depressed classes, say a Mahar, would be resented?—It will not be resented.

36746. You think that other officers who might be his subordinates would work well with him?—Yes.

36747. Are there any large firms of money-lenders in the district?—There are two or three large firms.

36748. Do they deal in several districts?—Yes. There are two or three biggest bankers.

36749. Do you think they contribute a considerable proportion of civil cases?—Yes.

36750. You could not give an estimate?—In the majority of cases they are the plaintiffs. Firms give notice only once and then go to Courts, whereas Sowcars go to their debtors twice or thrice and get the money. If the firm gives notice and if the money is not paid in due time, they go to Courts.

36751. A large portion of Civil Work is confined to half a dozen firms?—Yes.

36752. Do they employ standing counsel?—They employ permanent counsel for district courts.

36753. These gentlemen who are permanent counsel not only appear for them in their cases in court, but also advise them whether they should institute a case or not?—They advise the firms. They advise them to institute, or compromise cases; and in all financial matters.

36754. Would it be true to say that these gentlemen are confidential advisers of these firms in all matters?—Yes, they are. In Narasinghpur, Rai Bahadur Balnadas & Co. are the richest bankers. There is a local branch, who represents them.

36755. It has been suggested that judges should be appointed from the bar?—Yes.

36756. Suppose you had a case against a firm of bankers in your district, would you care to have on the bench a member of the bar who has been their standing counsel?—I would not mind it.

36757. You think that his former experience as an employé of the firm would not affect his decision at all on the bench?—No.

36758. You think it would be true in all cases or in rare cases?—True in many cases.

36759. Have you ever known cases of persons who are commonly believed to be offenders and who are let off by courts?—No. I have heard a great deal. I have known some cases where people on the spot know a great deal better. People who hear reports form wrong opinions.

36760. You mean to say that you have not known cases where criminals commonly believed to be guilty have been let off?—Knowingly nobody lets a criminal off.

36761. I am not suggesting anything dishonest. But have you known cases in which the result of the retrial has been quite contrary to public expectations?—I have known.

36762. Some cases are tried by Sessions Judges and some by District Magistrates?—Yes.

36763. Suppose a well-known *Budmash* broke into your house and stole your property, would you rather have him tried by a Sessions Judge or a Local Magistrate?—By the Local Magistrate.

36764. Why?—He knows the locality; he knows what kind of man I am and that I would not make a false complaint to the police.

36765. It has been suggested that a Sub-Divisional Officer and a Tahsildar should no longer try criminal cases?—There can be much said about it. I am in favour of Deputy Collectors trying cases. Tahsildars are second class Magistrates and they do not try important cases; but Sub-Divisional Magistrates try to do their best.

36766. It has been suggested that these Sub-Divisional Magistrates should no longer try criminal cases. That is to say, an officer who goes round the place on revenue business to enquire into land acquisition cases and revenue remissions and so on, should no longer try criminal cases?—There would be still less difficulty to get justice.

36767. It is suggested that Civil Judges should try criminal cases?—Civil Judges not knowing the district, not knowing the state of the crime, may do justice in individual cases and apply the law properly. But if you want to keep down crime, it is better that it is in the hands of the District Magistrate.

(The witness withdrew.)

H. M. MALAK, Esq., Merchant.

Written answers relating to the Indian Civil Service.

36768 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The present system works well in the sense that the Civil Servants turn out generally competent men. It is unsatisfactory in the sense that it practically excludes the children of the soil from serving their country by entering in it and thus affords them no opportunity to develop their administrative capacity.

36769 (2). In what respects, if any, do you find the present system faulty in detail and what alterations would you suggest?—The competition as at present imposed puts (*i*) unequal pressure on the Indians desiring to compete for it as they are required to master all the subjects of the examination in a foreign language; (*ii*) unequal risk on the Indians desiring to enter it as they have to leave their country at a tender age and visit a foreign one on the bare chance of passing the examination in which more often than not they prove unsuccessful; (*iii*) unequal expenses on Indian parents as their sons have to go to England, stay and study there at great costs. The system thus does not treat all the subjects fairly. Simultaneous examinations taken both in India and England of identical nature would to a great extent remove these inequities. All who compete for it here as well as in England should be finally classified in one list according to merit. The Indians may be allowed two or three years more as age-limit, to compensate them for the difficulties of competing in a foreign language with Englishmen who have to master their mother-tongue only, or the Indians may be given more marks in the foreign languages in view of the unequal difficulties put to Indians, or principal vernaculars like Urdu or Hindi may be required to be mastered by English candidates.

36770 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—No. The system has practically excluded Indians from the Indian Civil Service, though they are trying to get in it for over three-quarters of a century and though every successive August Sovereigns have enjoined on their Ministers to *freely and impartially admit to offices in our service, the duties of which our subjects of whatever race or creed may be qualified by their education, ability and integrity* duly to discharge.

36771 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—The three services should not be combined as I think it would admit Colonials to Indian Service to which they are in no sense entitled, specially as the British Indians are not fairly treated by the Colonial, and it would tend to exclude the Indians still further. If Colonials, under the present circumstances, are allowed to enter the Civil Service of India, Indians will very much resent it.

36772 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—The system of recruitment by open competition is to my mind the best, but should be fair and just to all the candidates who are subjected to it.

36773 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I would consider a system of simultaneous examination in India and in England as absolutely necessary to redeem the pledges of the Sovereign to improve the administration of the country and make the people more loyal and contented.

36774 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I would not recommend any examination or test which is not of an identical nature for all, be they British or Indian. If Natives of India are recruited by any other method, they would not command the same respect from their colleagues and people in general.

36775 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—The answer to this question has been anticipated by me in my reply to question (7). I would see that all classes and communities are presented in the Service by competition. Nomination should not be the door.

36776 (11). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—Judicial branch of the Indian Civil Service may be partly recruited from among the members of the Bar, who may be qualified by their experience, higher law tests and status as practitioners.

36777 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Acts, 1870 (33 Vict. c. 3), as including any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not state fully any proposals that you wish to make in regard to this matter?—I would like to avoid the use of the term "Natives of India" as far as possible, as for various reasons the term is resented by the Indians. I do not know how to bring this about by a change in the definition.

36778 (13). If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons.—I do not know exactly what age-limit should be fixed, but concession may be shown to Indians, who are required to compete in a foreign language. See my answer to question (1).

36779 (14). What in your opinion is the most situable age at which junior civilians recruited in England should commence their official duties in India?—I think they may begin at twenty-five.

36780 (15). What age-limits for the open competitive examination in England would best suit candidates who are Natives of India; and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India, and for other natural-born subjects of His Majesty?—Yes, I should allow Indians two or three years more owing to their special difficulties.

36781 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—I should like to put in Oriental languages and Indian History among the subjects. I do not know what further changes may be made as to marks, etc.

36782 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—I think such a proportion is not practically necessary as I believe Indians will not for a long time, I can think of, swamp out Englishmen, but if minimum need be fixed I would as a practical man reserve one-third as the minimum for the Englishmen or rather men recruited in the United Kingdom of Great Britain and Ireland (I do not take into consideration the Colonials).

36783 (20). Do you accept as generally satisfactory in principle the present system under

which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—See answer to my question (4). I would not have any special arrangement for Indian recruits provided the competitive examination is made fair to both Indians and Englishmen.

36784 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statutes of 1870 should be revived, and if so, what method of recruitment would you recommend?—No.

36785 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—If Provincial Service men could be taken to listed posts at mature but not old age, it may be better, but if simultaneous examinations are introduced I would not keep any listed post (or Indian Civil Service posts) for Provincial Service men.

36786 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—I think after they pass the competitive examinations they may be required to undergo probationary period of a year or two.

36787 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—Test about languages and local laws and knowledge about Indian polity may be required of them, just as similar tests are imposed on Provincial Service men, after they enter it.

36788 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—Part of the time of probation may be spent by Indians in England and by Englishmen in India. They may be required to work under senior officers in those countries. Thus I would require English students six months' work in England and one and a half year's probation in India. Indian students may be required six months' probation in India and one and a half year's probation in England. During this period I think Indian Civil Servants should be required to acquaint themselves with English system of administration as also with Indian system of administration. They may also be required to pass the same time the test required in my answer to question (31).

36789 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—I think there should be a college in England as well as one in India to which the probationers may be attached and where the additional subjects be taught.

36790 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—I think the junior officers under the present arrangement lack in knowledge about India and its people, and probation be required of the recruits. See answer to question (32).

36791 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I think partly because English education is increasing in India there is some deterioration in the acquisition of knowledge of the vernaculars on the part of Civil Servants. But I do not think any special arrangement is needed for increasing this knowledge.

36792 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service?—If not, what rates do you suggest for the various grades of the Service?—I would not make any difference in pay of the Indian Civil Servants of whatever nationality they be. Indians require the same pay as Englishmen if they are to keep up to the style and dignity of an Indian Civil Servant. The Indians (Natives of India) require owing to the joint family or semi-joint family system of the country very large expenses for maintaining and upbringing of their family.

Written answers relating to Provincial Civil Service.

36793 (51). Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—I think the principles embodied in Government of India Resolution Nos. 1046-1058, dated the 19th August 1910, are sound. But I would add that if any particular community cannot give an adequate number to represent them in the Provincial Service (the whole Provincial Civil Service) recruitment may be made from other Provinces for the purpose.

36794 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the Province to which it belongs?—The recruitment of the Provincial Service (the whole Provincial Service) should ordinarily be restricted to the Province to which it belongs, but in the case of Muhammadans and other important communities, if they are not up to the mark in education in any particular Province, recruits should be made from other Provinces also, so that all classes may be properly represented in

the Provincial Service. I think that all classes as far as possible should be represented in the service.

36795 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed ? If not, what principle do you recommend ?—The conditions of Provincial Service (the whole Provincial Civil Service) as regards salary should be adjusted to a consideration of the terms necessary to secure locally qualified officers.

MR. H. M. MALAK, called and examined.

36796. (*Chairman.*) You are a General Merchant ?—Yes. I am a General Merchant of Nagpur.

36797. Have you resided here for many years ?—For the last 20 or 21 years.

36798. Do you occupy any public positions here ?—I am a Member of the Municipal Committee; I am the President of the Anjuman; I am the Vice-President of the Moslem League; I am a Trustee of the Aligarh College, and several other functions I perform.

36799. You would like to recruit for the Indian Civil Service by examinations held simultaneously both in India and in England, identical in every respect ?—I am in favour of the simultaneous examinations on an equal footing.

36800. In your answer to question (18) you say that you would, as a practical man, reserve one-third of the Indian Civil Service as the minimum for Englishmen ?—Yes, it will do for some 50 years. That is the highest aspiration that I can put. It will take some time to publish the report of the Commission and I do not mean to say that in the course of two or three years that percentage will be reached. It will take a long time for that percentage to be reached.

36801. You anticipate that it will take a long time before the candidates are successful in the Indian examination ?—Yes, about two-thirds. It will take long time to reach it.

36802. I gather from your remarks that you would like to see the European element retained in the Administration, although you will be satisfied with a comparatively small number of Europeans ?—Yes, the Indian element will be two-thirds and the European element one-third.

36803. You say in your answer to question (15) that you would allow Indians two or three years more owing to their special difficulties ?—Yes.

36804. To that extent you rather modify the main principle, which underlies the demand for simultaneous examinations, namely, that there should be equality between Europeans and Indians ?—Indians have to learn foreign subjects, whereas Englishmen have to learn subjects in their own mother-tongue. For that reason, Europeans may be made to learn Indian languages, Hindi or Urdu; but if that is not done, two to three years may be given to Indians.

36805. In effect, your scheme would mean, I take it, that there would be an examination held in India supplementary to the open examination in England ?—Yes.

36806. But it would not be a simultaneous examination, if it was not held at the same time ?—No. It must be held at the same time. The same questions, the same subjects and the same time.

36807. I see that you would hold the examinations simultaneously, the only difference being, the respective ages at which you would allow the candidates to go up for them. At what age would you allow Europeans to compete ?—Let it remain as it is. To make up for the special difficulties which Indians have to undergo, I think some concessions may be shown to them. Either Englishmen may be made to study Indian languages or some more marks may be given for the subjects that the Indians have to learn in England. But the simultaneous examinations, if held in India, will put them on an equal footing.

36808. Your proposal suggests that an Indian should appear for the examination three years later than the Englishman. To that extent they would not be on equal footing ?—If the special difficulties in the way of Indians are removed, there is no necessity for extending the age-limit.

36809. What do you mean by special difficulties ?—They have to learn foreign languages. If the simultaneous examinations are held in India and England, if the candidates are to be put on an equal footing, the same subjects, the same marks, and the same age, then Europeans will have to learn Indian subjects while Indians learn English subjects. Then it will be all right.

36810. Then you suggest a difference in the syllabus of the examination ?—Yes.

36811. Then you will have optional subjects more suitable to Indians ?—In answer to question (2) I have given the details. I have said: "The competition as at present imposed puts (*i*) unequal pressure on the Indians desiring to compete for it as they are required to master all the subjects of the examination in a foreign language: (*ii*) unequal risk on the Indians desiring to enter it as they have to leave their country at a tender age and visit a foreign one on the bare chance of passing the examination in which more often than not they prove unsuccessful: (*iii*) unequal expenses on Indian parents as their sons have to go to England, stay and study there at great costs. The system does not treat all the subjects fairly. Simultaneous examinations taken both in India and England of identical nature would to a great extent remove these inequities. All who compete for it here as well as in England should be finally classified in one list according to merit. The Indians may be allowed two or three years more as age-limit, to compensate them for the difficulties of competing in a foreign language with Englishmen who have to master their mother-tongue only, or the Indians may be given more marks in the foreign languages in view of the unequal difficulties put to Indians, or principal vernaculars like Urdu or Hindi may be required to be mastered by English candidates." Those are the reasons why the simultaneous examinations may be held.

36812. You mean that if optional subjects were introduced to suit Indian candidates, then the

examination might be held at the same time and at the same age for Indians and for Englishmen ?—Yes.

36813. Do you think that the various communities will be sufficiently represented under a system of open competition ?—My idea is that it is for the Indian loyal subjects of Their Majesties the King and Queen to show their efficiency, their competency and their worth, and then if the British Government think that in the interests of the best administration and to see that there is no agitation and that there is satisfaction and contentment among all classes of the communities, then it would be a question for the Government to decide whether there shall be proper representation of all the communities or not. As loyal subjects we are bound, and we must show that we are prepared, to serve our country in the best way possible and to see that we acquire efficiency.

36814. (*Sir Murray Hammick.*) I suppose you have not been to England ?—No ; I had no occasion.

36815. Do you think that if you had simultaneous examinations next year any Muhammadans would get in—be successful ?—In the first place it will be impossible to have the simultaneous examinations next year. It will take long time to introduce them. The sooner they come to know of it the earlier will they prepare themselves.

36816. If you had an examination next year you do not think that any Muhammadans would get in ? Or do you think they would ?—They would have to study the subjects.

36817. How long do you think it would take them to study the subjects ?—It will take at least four or five years.

36818. Then you would not like to see the simultaneous examination started for four or five years ; you would like to have it put off for four or five years ?—Yes.

36819. You think that in four or five years Muhammadans would have a good chance of getting a fair amount of appointments ?—Yes, as they are getting at present. As far as the appointments are concerned, it will be arranged in the same way as it is done at present.

36820. If you put off the simultaneous examinations four or five years, do you think that Muhammadans will then get a fair proportion of the appointments ?—I would advise the members of my community to strain their every nerve to come to the fore-front. Though on account of their minority they may not come out successful in equal numbers to that of the members of the other communities, still Muhammadan community would produce such able men as they can, according to the minority, do service to the country.

36821. You would like to see Englishmen going up for these examinations at 23 and you would like them to come out at 25. You say that you would like junior civilians to begin their work at 25. You say he has to have probation for 1½ years in India and six months in England, so that he would have to go up for the examination at 23. You would like to see Indians go up for the examination at 26 ?—He would have three years given to him.

36822. You say in your answer to question (2) that Indians may be allowed two or three years ?—Yes.

36823. So that the Englishman will have to go up for the examination at 23 and the Indian would go up for it at 25½ or 26?—Going into the service.

36824. For the simultaneous examinations ?—The simultaneous examinations will be arranged in such a way that there will be the same sort of questions and the same syllabus, in which case that is not necessary.

36825. There is difference in age ?—That is in regard to the present system. We are mingling both. This is with reference to the English examination in England and therefore there is this difference in age.

36826. Are you referring to the English examinations in England or to the simultaneous examinations in India ?—To the English examination in England.

36827. If you have the simultaneous examination in India, you would not give the advantage of age to the Indian ; he would go up for the examination at the same age ?—In that case I would not insist upon it.

36828. It is only for the existing system in England ?—Yes.

36829. You think that if an Indian goes for the English examination in England he ought to have two or three years' benefit, that is to say, he should be allowed to go up for it two or three years later ?—Yes.

36830. In your answer to question (24) which relates to the Provincial Service you say that if you had the simultaneous examination, you would take away all the listed appointments from the Provincial Service. Do you not think that it would make the Provincial Service very unpopular ?—Why so ?

36831. They would lose some of the good appointments which they now have ?—In the first view, they would lose for some years, but there would be no loss.

36832. You mean the people who went in for the Provincial Service would pass the simultaneous examinations and go into the Indian Civil Service ?—Yes.

36833. Is that what you mean ?—Yes.

36834. Still the Provincial Service would be discontented, because they would have no appointments to look forward to, as they have now ?—Those appointments would be filled by those who pass the examination.

36835. Still the men in the Provincial Service who can now look forward to becoming Deputy Collectors would no longer look forward to them, so that they would be disappointed. Would they not ?—For the first few years they would be disappointed ; but afterwards they will not. When they pass the examination they will feel all right.

36836. In reply to question (32) you say that it is quite enough that Indian students should go to England for one-half year's probation and learn what goes on in England. You think that would be quite enough ?—It is one and a half years, not one-half year. It is a mistake in print. I have corrected it to one and a half years or eighteen months.

36837. You think that an Indian after he passes should go to England for 18 months ?—Yes.

36838. On the other hand, an Englishman should have 6 months in England and one and a half years in India?—Yes.

36839. Where would he study in India?—Some arrangements ought to be made for it.

36840. You mean in a College?—To remain under some administrative officer. In that way, he can study the administration and learn the ways and customs of the people.

36841. Have you lived for a considerable time in Nagpur?—I belong to Bombay; but for the last 21 or 22 years I have been here.

36842. Always trading in the town here?—Yes.

36843. (*Mr. Sly.*) I want to ask you a question or two about the Provincial Service. I understand that you are satisfied with the present system of nomination; judging from your answer to question (51)?—The resolution of the Government of India requires some alteration. To clause 5 I would add some note.

36844. You have not mentioned any alteration?—I stated that so far as the principles of the resolution go, they are sound, but I have added "if any particular community cannot give an adequate number to represent them in the Provincial Service (the whole Provincial Service) recruitment may be made from other Provinces for the purpose."

36845. For the Provincial Civil Service you desire to see communities represented?—Not only my community but other communities and minorities.

36846. All communities?—Yes.

36847. Do you not think that in the Provincial Civil Service the question of efficiency is important?—That has to be taken into consideration. I do not mean to say that unqualified men from other Provinces should be recruited, but only qualified men.

36848. If you consider this necessary in the Provincial Civil Services, why do you not recommend it for the Indian Civil Service?—We require fair play and fair treatment in order to encourage Indians. I think that it would be better if they pass that examination for the Indian Civil Service. That would be better for them and they will be put on the same footing as others.

36849. Better than the Provincial Service?—Yes. My idea is to connect and link the rulers and the ruled. If they are competent men they will be able to do very good service to the country to which they belong.

36850. Does this Civil Service problem create great interest in the mercantile community in Nagpur—among merchants?—I have not come here to represent the mercantile community, but as a citizen and as one of the loyal subjects of His Majesty the King.

36851. Among the citizens does it excite a great deal of interest?—Yes. As the head of the administration is a member of the Indian Civil Service they do take an interest in it.

36852. You are yourself a merchant?—Yes.

36853. What I wanted to know was whether merchants in Nagpur are much interested in the question of the Civil Service?—Not as a merchant.

36854. Do you think that among your friends there is a general desire for the simultaneous examinations?—Yes.

36855. You are not speaking for yourself, but you are speaking on behalf of a good many friends of yours?—Yes.

36856. Is that desire strong in the Muhammadan community in Nagpur?—Not merely in Nagpur, but in the Central Provinces also. Most of those in the United Provinces who are educated are in favour of the simultaneous examinations.

36857. Most of the educated members of the Muhammadan community are in favour of the simultaneous examinations?—Yes.

36858. Do they expect to obtain many successes in the simultaneous examination?—They hope to.

36859. In your answer to question (2), in sub clause (*ii*), you say you consider one of the drawbacks to the present system to be the unequal risk on the Indians desiring to enter into the Civil Service as they have to leave their country at a tender age and visit a foreign one on the bare chance of passing the examination in which more often than not they prove "successful"?—It must be "unsuccessful" and not "successful." That is another mistake.

36860. Anyway you refer to the risk which they run in leaving their country at a tender age. What is the precise character of the risk you refer to?—The climate of India and the climate of England are quite different.

36861. You mean the physical risk?—Yes.

36862. Any moral and intellectual risk of any kind?—That has also to be considered.

36863. When you say that they prove unsuccessful, do you mean that they fail to pass or break down in other respects?—They break down in other respects.

36864. With reference to the majority of Indians who proceed to England, it is said that they prove decided failures for one reason or another—they break down. Do you agree with that opinion?—Yes.

36865. In answer to question (3) you say that the declarations and the hopes held out by Sovereigns and Ministers have not been carried out. Do you mean to say that there has been an actual breach of promise or there have been difficulties in the arrangement for letting in Indians?—Facilities were not given to Indians, and if facilities had been given them, they would have had their chances.

36866. The promise was that a man's race should not form a bar to his eligibility for any appointment, other things being equal and he being competent; but it did not mean that any man of any race should be entitled to any appointment for which he and his friends think him suitable. There is great difference between these two?—On account of certain restrictions one community gets preference over the other.

36867. You think that the defect is in the arrangements?—Yes.

36868. In answer to question (16) you say that you would like to put in Oriental languages and Indian history among the subjects for the competitive examination. Do you think that, in the present state of things, in any of the Colleges in

England, you can acquire anything more than a sort of scholastic acquaintance with the classics? Do you think that a man can really learn the colloquial language of India without coming here and living here?—As Indians have to learn Latin and Greek in England, Europeans ought to learn the Indian languages.

36869. Do you suggest that sort of scholastic knowledge of Asiatic classics, in order to increase the number of marks obtained in the examination?—If my proposal is carried out, about the simultaneous examinations.

36870. Are you speaking of simultaneous examinations or the competitive examinations at Home?—In that case, during the time of probationary period, they will acquire a knowledge of these languages.

36871. Here or there?—Here and there.

36872. In answer to question (32) you say, "Part of the time of probation may be spent by Indians in England and Englishmen in India." Do you think that theoretical studies of the language of the country are equal to the experience gained by practical work in it?—That is the reason of my suggestion. My suggestion is that they should acquire a knowledge of these languages during the time of their probation.

36873. You say by Indians in England and by Englishmen in India?—Yes.

36874. You want a training College in India for probationers?—If that is possible.

36875. Do you think that a succession of competent teachers can be maintained for such a college in this country?—In the beginning, it will, of course, be expensive; but if the number increases, it will not be so much expensive, unnecessarily expensive.

36876. (*Sir Theodore Morison.*) Supposing the simultaneous examinations were conceded, would you describe to me where you would have educated a young man whom you want to send up for the competition? Suppose a friend of yours asks you to give him that advice, what will you say? Will you describe to me the sort of education that you would give him?—That depends upon the University and the subjects to be prepared.

36877. Suppose a Mussalman friend of yours came to you at Nagpur and said, "I have got a boy of fourteen, who is very clever and whom I want to send up for the Indian Civil Service Examination; and by the time he has grown up there will be simultaneous examinations." Will you describe to me how you will have that boy educated?—That is, the courses of studies in England will be studied here; there will be the same courses studied here.

36878. Please tell me what school you will send him to? Will you send him to the Zillah School here, etc. Suppose the decision is arrived at, that the simultaneous examinations will begin in the year 1927, and you have this promising young clever lad you wish to educate. Will you tell me how you would begin his education, what education you would give him?—There are certain recognised colleges which have produced the best sort of men.

36879. Tell me the names?—The Fergusson College at Poona, the College at Aligarh, and the College at Calcutta.

36880. This boy is only fourteen or twelve?—He will be put into the school attached to the college.

36881. Will you send him to the Fergusson College?—If that boy is of school-going age, I will attach him to the school.

36882. Will you send him to the Zillah School?—Not here.

36883. If he is a young Mussalman boy, where would you send him to?—To either the Poona College or the Aligarh College.

36884. Do they teach Arabic at the Fergusson College?—If they do not, I will have him sent to Aligarh.

36885. After he passes through the school, what will he do?—I will make him join the College.

36886. How far will he go up in the College; up to the B. A.?—As he is to go up for the Indian Civil Service, I will make him prepare for it, and undergo whatever the course may be for it.

36887. Do you think that the Aligarh College, of which you are a Trustee, will start a special class for the Service?—If all the colleges are not to provide for all the subjects required for the Indian Civil Service examination, I suppose there will be one College here in India.

36888. I do not suppose that there is any College anywhere that provides for all the subjects—some universities there may be?—There must be a separate College to prepare boys for the Indian Civil Service examination.

36889. Then you mean to say that a part of your recommendation for the simultaneous examinations will be that of starting another College?—Will have to be.

36890. You have stated in reply to question (2) "the competition as at present imposed puts unequal pressure on the Indians desiring to compete for it as they are required to master all the subjects of the examination in a foreign language." This young man, we are talking of, would go to Aligarh and he is certainly going to read up to B.A., and he will have to read almost all the subjects in English. Do you want to change it?—We shall have to arrange for a College which will prepare students for the Indian Civil Service examination.

36891. Suppose you get a central College to prepare candidates for the Indian Civil Service examination, do you think that the teaching will be in English or in the Indian languages?—The College will be of the same nature as in England.

36892. In which language?—English, Latin, etc.

36893. That difficulty will remain. Even if you have a central College, Indians will still have the difficulty of learning the subjects in the English language?—Yes, in the same way as those who prepare and go up for the examination in England will have to study the Indian languages.

36894. You will change the curriculum?—That is one of the conditions—that the subjects will be the same, the papers will be the same, the examiners will be the same, and everything will be the same and there is to be no difference.

(The witness withdrew.)

(Adjourned for a short time.)

GEORGE PARIS DICK, ESQ., Barrister-at-Law.

Written answers relating to the Indian Civil Service.

36895 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I accept the present system as satisfactory. Social and political conditions in India are now quite different to what they were at the time the preceding system of recruitment was in force. The unit of Government has shifted from the District to the Division. There has not yet been time to gain experience of how the men recruited under the present system would work as Commissioners of Divisions, but the class of men obtained by the open competitive examination in England seems to be drawn from the same field as their predecessors were, being, with rare exceptions, men from our Public Schools; the principal difference being that they are older in years than the recruits were under the preceding system, and further have not necessarily been attracted to the Service by a desire in the first instance to come to India. They offer an equally good scope for the selection of satisfactory men when the time comes for them to administer the government of the country. As junior members of the Service, and as District Officers, their age on joining and its mental results render them more suitable to present conditions, and to dealing with their Indian fellow-subjects, in the course of official life, than if the age of recruitment were the younger one. They are further much assisted by the remarkable development of the two Departments of Agriculture and Education. The present age of admission furthermore permits of those Indians who enter the Service having passed a sufficiently long time in England for them to understand and enter into, as well as to accept, the modes of thought, outlook and traditions of their English colleagues, such being essential to the good government of India. The superior posts of the Indian Civil Service constitute a large part of the Government of India and as such must remain in British hands. The system of selection by merit, and not by seniority, which prevails in the filling up of these high offices, permits the selection of any "Native of India" in the Service, of conspicuous ability, but even in such an individual case no precedent should be established. The people of India desire the Government to be entirely in British hands as much as the people of England desire England to be governed as a limited Monarchy, with a Parliament composed of Members whose political opinions represent those of the majority of the people of England at the time of their election. At the same time, with the age of admission standing as it does at present, Indians have a better chance of securing an entrance into the Service under the present examination rules than under the younger age. They have had time first to master the English language and then to acquire a knowledge of the examination subjects such as enables them to compete on equal terms with the English candidates. As to the efficiency of the civilian who is a Native of India he has to contend with the knowledge that the people will not unquestioningly accept and obey his commands. His orders will be scrutinized, motives imputed to him, his being right or wrong considered, and his orders then followed, or even then perhaps only partially carried out. This induces a diffidence in men, as gifted as their English colleagues, and renders them less efficient in moments of emergency both to issue orders and to ensure compliance.

36896 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—So far as these Provinces are concerned there has been such over-recruitment as seriously to affect the efficiency and prestige of the Service. It has resulted in a block in promotion which keeps junior civilians of many years' standing in the grade of Assistant Commissioner, and doing work which has ceased to be in the nature of mere training, and can equally well be done by members of a less highly paid Service. Recruitment should be simply to secure such a number of men as will keep filled the posts of District Officer, and a number of others in training to fill up the vacancies in the Districts, when District Officers are selected for promotion. The pay, in consequence, is quite inadequate to suitably maintain officers (and their families), junior in rank, but of many years' standing, in a position befitting the dignity of the Service, and permitting the officer and his family to exercise that indirect influence by example and friendship, which is among the most valuable services rendered by the Indian Civil Service to the Indian Empire. The pay throughout the Commission in these Provinces is far below what men selected as the Indian civilians have been, have a right to expect at the termination of each decade of their life, when they look round and see the average incomes earned by their contemporaries in business or other professions, and this in spite of the consolation of the so-called pension. The result is that the importance of the civilian as a social influence for good is likely to be lost, and the young civilian loses his importance, being merged in a crowd of Civil Servants, doing the same kind of work, but of quite different rank and standing, and drawn from a different field altogether.

36897 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The present system does not secure the best class of Indian candidates; under it any "Native of India" who can secure the necessary means to enable him to proceed to England, can appear for the examination, and though such may pass, they are not necessarily picked Indian students. A system of State Scholarships, given in India, on the recommendation of the University authorities here, to students of the Indian Universities, would enable a number of picked students to go up for

the examination, and would secure Indian candidates from the same field of general education and training, both intellectual and physical, as that from which the English candidates are drawn.

36898 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—No. The examination should be separate. Under the present system the prestige of the Indian Civil Service suffers. Men who had no intention of proceeding to India find on passing an inducement to do so, and men are kept out who might have got in, and been more suitable, but for the combined competition.

36899 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—I am in favour of an open competitive examination held as at present.

36900 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—Until the system of Public School education in India is assimilated much more nearly than it is at present to Public School education in England, any system of simultaneous examination is out of the question. This is due to the fact that the spirit of caste is the breath of Indian National life. The field from which candidates in India are to be derived must be a class of Indian subjects, and not a caste or castes, or any particular sect. The candidate must be an Indian, and not merely a Hindu Native of India, or a Muhammadan Native of India. The Indian as such has yet to be born. Any system which led to the administration of India to any real extent by members of a particular caste, or sect, would lead to a popular demonstration by the other "Natives of India" against such a system. At the present moment certain literate castes would obtain by far the larger number of passes at any such examination held in India, and in the not very distant future it is equally possible that a particular sect might obtain a similar predominance.

36901 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each Province or group of Provinces in India? If you favour such a scheme, what proportion do you recommend?—I am not in favour of any such proposal, which would only lower the general efficiency of the Service. I believe further that it would lower the standard of ability in the competing Natives of India as candidates. At present the Service is obtainable by picked men and by picked men only, but it is also open to all subjects of the Indian Empire. The time has not come, and I hope will never come, when the question of distribution of posts in the Indian Civil Service has to be considered from a racial point of view, as apart from one of efficiency.

36902 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I am not in favour of any system of nomination. I consider it desirable that all classes and communities should have the Indian Civil Service open to them, and open competitive examination is the only means of effectually doing this.

36903 (11). Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system which you would propose?—It is very desirable that ultimately only members of the legal profession shall be eligible for Judicial appointments. Such appointments to be made preferably from the local Bar. To secure the proper administration of justice, the maintenance of the highest standard of professional honour in the legal profession is as essential as the possession of the best qualifications by the Judges. The knowledge that these posts are prizes of the profession, will have a most valuable reflex influence in encouraging that standard of professional honour which exists in England, where this system of recruitment to the Bench is in force. The rule should apply not only to High Courts but to Divisional, District, and Sessions Judgeships. Its introduction may lessen the attractiveness of the Civil Service, though the Judicial Branch apparently does not exercise any great inducement as such, at the present time. But the cadre of the Indian Civil Service being reduced, the number of recruits required will be less, and a high class of men, English and Indian, will be led to adopt a lawyer's career in India. The practising lawyer, when raised to the Bench, will have a special knowledge, not open to the Civilian appointed from without the Bar, in addition to which the lawyer has an amassed knowledge of law gained at the Bar, which the Civilian Judge lacks, and to obtain which the Civilian Judge has to serve an apprenticeship after his appointment to the Bench at the expense, if not of the litigants, at least of the public time. The knowledge of Executive work which the Civilian Judge brings with him to the Bench is no compensation for his lack of law and legal training. Revenue and Tenancy Law are familiar to the legal practitioners; and while the Revenue Officer has only applied this law in particular posts (subject of course to correction on appeal), the legal practitioner has gained a knowledge of how to deal with it from the point of view of the Revenue authorities as well as from the point of view of landholder and tenant. A further anomaly under the present system is, that a young civilian without legal experience is taken from the Executive and appointed to the Judicial Branch in a post, wherein he hears appeals from Subordinate Judges of many years' standing and experience. I do not consider that a training for six

months as a Subordinate Judge before his appointment as a Court of Appeal in any way alters the position. General appointments to the Bench from the Bar to the exclusion of the Indian civilian cannot of course be made until not only Indian but also British, practising Barristers, of at least ten years' standing as Advocates of an Indian High Court, are available to select the Judges from, so as to secure that firmness of fibre in criminal decisions which religious and domestic training tend to mitigate in the Hindu literate class. All High Courts must contain a strong British element to secure not only the last mentioned point, but also the approbation of the litigant as well as of the people, who demand that the Supreme Appellate and Original authorities, Civil and Criminal, shall be British to all intents and purposes. At the present moment the first step can be taken in the direction indicated by ensuring that only those members of the Civil Service who are Barristers or Advocates of Scotland hold Judicial appointments, or will in the future be appointed to the Judicial Branch of the Indian Civil Service. It is commonly, though possibly erroneously, believed that the less efficient members of the Indian Civil Service find themselves relegated to the Judicial Branch. The appointment of even one Judge, holding no general qualifications, and without any special knowledge of the law, customs, and language of the people whose disputes he is called upon to adjudicate, and to whom he administers justice, would constitute a serious charge against the present system of appointments to the Judicial Branch of the Civil Service. With regard to the Subordinate Civil Courts, the appointees should start as Munsifs, and be able to rise in the ordinary course to the post of Additional District Judge. The pay of a Munsif on appointment should be Rs. 200 a month. Such appointments should be made from Legal Practitioners within the Province of at least three years' standing, and thus not only secure valuable knowledge of Court business but also avoid the possibility of sons of influential persons being appointed as soon as they have obtained a legal degree, who are then after a few years able to discard the Bench, to proceed to practise at the Bar, with the prestige and experience gained on the Bench at public expense. The Magisterial Courts are attached to the Executive side of the Administration, and cannot be separated from it without gravely impairing the security and good government of the country, so that I am absolutely opposed to any separation, as it is called, of the Judicial and Executive. The Indian Civil Service can be divided into two parts (*a*) the Deputy Commissioner and his subordinates, (*b*) the Commissioner and those superior to him in the Service. The unit of Government has indeed shifted from the District to the Division, but the direct administration of justice, the maintenance of public order, and security of person and property, everything that is involved in the two words the "King's peace," is embodied in the Deputy Commissioner and group (*a*). The Deputy Commissioner must therefore be the District Magistrate. The Magistracy, whether Stipendiary or Honorary, must be subordinate to him, and he is a guarantee to the people of the good faith, reliability and integrity of such Magistracy as the Appellate Court to whom the justice of their decisions can be referred, responsible for their impartiality and incorruptibility. The District Magistrate to whom they are subordinate, must be a member of the Indian Civil Service, and the mass of the people would prefer him to be a European, as being uninfluenced by any sectarian or interested feeling. The Sessions Judge and the High Courts are too remote to act as the Court of immediate appeal, instead of the District Officer, who is visible to the people and constantly among them, though not of them, in his capacity as Collector of the Land Revenue and Revenue Court. He must at the same time remain the responsible head of the police in the District, for it is exactly this combination of head of the prosecution, as superior officer of the prosecutor and the superior officer at the same time of the trying Magistrate, that ensures public justice, prevents Magisterial advocacy, and partizan Police prosecution. All the Magistrates subordinate to the District Magistrate and Deputy Commissioner combine like himself Magisterial and Revenue functions, and it is important to their prestige as Revenue officers that they should also be Magistrates. Any scheme of a separate Cadre for Magistrates headed by a District Magistrate, for the administration of Criminal justice, on lines similar to the administration of Civil justice, would no doubt commend itself to those who are anxious to duplicate Government posts, and create as many Government offices as possible; but, apart from the unnecessary and large expenditure of Government money involved in it, such a scheme will be less efficient than the present one, and would lead to every district being ultimately divided against itself. Further, to put it from the most sordid point of view, the difficulty of collecting land revenue would be enhanced. The true position is, that although the Commissioner governs, the District Magistrate represents the Crown to the people; and it is impossible to disassociate from his paternal power of help and assistance in time of famine, plague and other public distress, his likewise paternal power of punishment and suppression of crime.

36904 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—I would suggest the substitution of the words Indian and Anglo-Indian: Indian to mean all those referred to in the definition who have no English blood in their veins or are of English descent on their mother's side only; Anglo-Indian to mean all those referred to in the definition who are of English descent on their father's side. I should like to point out that India is not interchangeable with Hindustan, nor is the vernacular word Hindustan a translation of the English word India.

36905 (13). If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons?—The age should be such that candidates can appear immediately on the completion of a three years' course at the University.

36906 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—24 or 25.

36907 (15). What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India, and for other natural-born subjects of His Majesty?—I would make no difference between Natives of India and the other natural-born subjects of His Majesty.

36908 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—I would add riding to the compulsory subjects at the open competitive examination and mark it on a scale bearing in mind the expense of its acquisition and the utility it will be to the newly-joined Indian Civilian both on duty and socially.

36909 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—I would make no distinction between any candidates at the open competitive examination.

36910 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons?—I consider that all Heads of Departments should be members of the Indian Civil Service including the Public Works, Education and Police. The Judicial Branch I have already referred to and shown how the British element in that will be maintained. The wish of the people is my reason for this as contradistinguished to the possible wish of any party, caste or sect. I note the possibility that the member of the Indian Civil Service selected can be a Native of India as confirming my view that such Heads of Departments must be Indian Civil Servants.

36911 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service Cadre do you consider that Natives of India might under present conditions properly be admitted?—The higher posts of the Civil Administration must be manned by European subjects of His Majesty. The principle of selection for posts of the rank of a Commissioner and upwards, adequately provides for the selection of any suitable Native of India. Any other course would, in my opinion, make for inefficiency, and be so contrary to the wishes of the vast majority of Indian citizens, as to probably evoke popular outcry, once its effects were understood by the masses.

36912 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service Cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—All posts on the Indian Civil Service Cadre as it stands at present should be recruited by open competitive examination held in England. But I see no objection to a separate Cadre containing certain posts on the same plane and of the same grading as those entered in the Civil Service Cadre, including District Officers and certain Departments, such as Excise; and, so long as the Judicial Branch is recruited in any way from the Indian Civil Service, certain Judicial appointments to be recruited by special appointment in India.

36913 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?—Yes. I think the Statutory Civilian a valuable asset of Government, to be nominated on the recommendation of Local Administrations, and to be selected from wealthy and noble families of old standing and consideration, so as to give the aristocracy a vested interest in the system of Administration, the Cadre of Statutory Civilians to be a separate one and not to interfere with promotion in the Indian Civil Service Cadre. Two Statutory Civilians were appointed in these Provinces. One, a Muhammadan gentleman, resigned; the other, a Hindu gentleman, has been all that could be desired, but, even in his case, as Deputy Commissioner, the fact that the Head of the District was not British and would have been preferred as such was in one instance apparent.

36914 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service Cadre has been stopped or has never existed in your Province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—The system of military civilians was excellent for the period to which it belonged. At the present time such fatherly discipline does not appear to be necessary for any District in these Provinces. I was acquainted with these Provinces at the time Nagpur and other Districts had a military civilian at their head. Their qualities were excellent, appealed to the people, and the military civilian has left a deep impression for good behind him.

36915 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Service can properly be appointed?—I prefer to keep the Civil Service Cadre confined to Indian Civilians who have passed the open competitive examination in England, even by reducing the number of posts reserved for members of the Indian Civil Service.

36916 (26). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—All

such posts should be merged in the Provincial Civil Service.

36917 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—No. A Junior Assistant on joining in India should be placed for three years under a selected Deputy Commissioner, who should not have more than two such Junior Assistant Commissioners under him during the three years, unless he has selected the Judicial Branch.

36918 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No. I do not.

36919 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—There should only be a course of probation in England so long as appointments to the Judicial Branch are made from the Civil Service. The candidate should at once select this Branch, and then should remain at home for a period of one year, he undertaking to join an Inn of Court, bearing half the expense, and in addition to so doing and attending the course of lectures there, to read with some practising Barrister in Chambers for the year, towards which he should receive a further grant of £75. I think it desirable that the recruit selecting the Judicial Branch should bear some of the expense himself, as not only in my opinion is it necessary to secure a legal training for the Civilian Judge but such a recruit is provided with a profession, which he can turn to his advantage on retiring from Government service. On arriving in India such a junior Assistant should at once proceed to take up the duties of a Munsif under a selected District Judge. His scale of pay, in proportion to that of an ordinary Munsif, will soon remunerate him for the extra expenditure and outlay in England, and before he has been appointed as a Sessions Judge, he must have passed and been enrolled as a Barrister. Before being appointed a District Judge such a Judicial Civilian must have obtained an Indian degree of LL. B. After holding the post of a Munsif for two years, such a junior Assistant should be trained in magisterial work.

36920 (33). Do you think it desirable to start at some suitable place in India a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—No. I do not. I have heard that such a College for Police Assistants was started at Saugor and did not answer.

36921 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—No.

36922 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I think that there possibly has been a deterioration in intimate and profound acquaintance with the Indian languages, due to the later age of joining, which has tended to prevent the languages being taken up as a study and a hobby, or as a means of gain by taking prizes. A colloquial knowledge of Hindustani might be added to riding as an additional compulsory subject at the open compulsory competitive examination.

36923 (38). Do you recommend any special course of study in law in India for officers selected for the Judicial Branch?—They might well attend the two years' course preparatory to taking the degree of LL.B. at any Indian University, and such a degree of LL.B. should be required from them before they are appointed as District Judges. This degree is exacted from all candidates for the appointments of Munsifs, and the junior Indian civilian who takes it would be exempted from passing the Departmental examinations. *Vide* answer (32).

36924 (39). Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial Branch? If so, please give details?—Yes. *Vide* answer (32).

36925 (44). Do you consider that the numbers of officers authorised for the various grades of the Indian Civil Service are satisfactory? If not, please state your views?—The Service seems to be overmanned.

36926 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—Abolished upon the improvement in pay of the present Civilian and not permitted in future.

36927 (46). If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?—No distinction should be made between any "Indian Civil Servants."

36928 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—This present anomaly is one of my reasons for wishing to see the abolition of listed posts and their inclusion in a separate cadre for Statutory Civilians and also for the Provincial Civil Service.

36929 (48). Have you any proposals to make in regard to the leave rules applicable to members of the Indian Civil Service?—I think it undesirable that any member of the Indian Civil Service should be able to take two years' continuous leave except on Medical Certificate.

36930 (49). Have you any proposals to make in regard to the leave rules applicable to Statutory

Civilians, and to members of the Provincial Civil Services holding listed posts? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—I consider that separate sets of rules are desirable.

Written answers relating to the Provincial Civil Service.

36931 (51). Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—No direct appointment as a Subordinate Judge should ever be made. The appointment should be from the posts of Munsifs. Such Munsifs to be only appointed from qualified Legal Practitioners within the Provinces of at least three years' standing.

36932 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your Province suitable or have you any recommendations to make for their alteration?—The graduate qualification should apply to Anglo-Indians as well as Indians in nominations to Executive Provincial Civil Service.

36933 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the Province to which it belongs?—Yes.

36934 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—All classes and communities appear to be duly represented in the Executive Provincial Service here. But a predominance of one caste in the Judicial Provincial Service has occurred. This is no doubt due to the large number of Brahmans who have taken their LL.B. degree and does not appear objectionable, and the proportion of other castes will be no doubt to some degree restored as we find that larger numbers of Muhammadans, and some members of various other castes, are now attending the two years' course preparatory to appearing for the degree of LL.B.

36935 (56). Do you consider that the numbers of officers authorised for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—I think the number of the executive officers might well be increased and the districts further sub-divided. Such a course might coincide with the reduction in the recruitment of the Indian Civil Service.

36936 (57). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—The Civil Judicial Branch is quite separate from the Executive and Magisterial and should remain so. But a very grave defect occurs at present in the fact that District Judges of the Provincial Judicial Service are appointed to act as Additional Sessions Judges. This is an absolutely unsatisfactory system and has in my opinion worked very badly. Appointments from the Bar would not be open to this objection, as the Bar in this country do not, except in very rare instances, specialise, Barristers being familiar with civil and criminal law and work.

MR. G. P. DICK called and examined.

36937. (*Chairman.*)—You are a Barrister-at-Law?—I am.

36938. Have you had many years' experience in this Province?—I have been in Nagpur practising since February 1891. I came to Nagpur in November 1890.

36939. Have you resided here ever since?—I have been here ever since, except for trips home.

36940. You lay stress on the loss of efficiency and prestige which has followed on the present block in promotion. Can you tell us how this shows itself?—I think it is shown in the fact that the younger and junior officers are taken up with work which is done at the same time by other officials not of the same standing, that by a long continuance of such subordinate posts they lose, by the time they come to take charge of districts, that sense of command and power which I think is necessary for all Indian civilians.

36941. You do not regard the damage as irremediable?—Not in the least.

36942. You think that if improvements are made in the Service its prospects will regain its former prestige?—I think so.

36943. You do not object to having Indian members of the Indian Civil Service, but you desire that they should be picked men and should enter the Service solely by open competition?—That is so. I also particularly desire that there should not be any chance of any appointment being made except through the open door in England to posts in the Commission.

36944. May I take it that you are in favour of seeing more Indians admitted to the Service?—That is my wish.

36945. You recommend by way of giving effect to that desire a system of State scholarships to enable students to go to England and pass the examination?—I do.

36946. How many of such scholarships would you suggest?—I have suggested two for each University.

36947. Ten in all?—It comes to eight or ten.

36948. At what age would you select your scholarship-holders?—After they had taken their B. A.

36949. They would then be about what age?—About 21 or 20.

36950. What age would you suggest as the best time for passing the examination in England?—I think the present system is the best.

36951. 22 to 24?—Yes.

36952. How would you select these scholarship-holders?—It should be done by the University authorities on their own appreciation of the persons they choose to send. I would leave it

entirely to them. I would not suggest that they should be guided in any way by where the man stood in their respective years, but should be guided by their own knowledge, derived no doubt from the colleges through which the graduates had passed, as to the particular individuals selected.

36953. Would the University be the sole authority for selection ?—Yes, the sole authority.

36954. Or would it be a recommending authority?—No, it would be the sole authority for selection.

36955. You think you could safely leave the selection to the University authority ?—I think so.

36956. You would not like to see a Board established?—Not apart from the University authorities to which it should recommend. I would rather leave it to them, and it was understood in the country that it would be left to them.

36957. I gather from your answer to question (20) that you would abolish the listed posts but that you propose recruitment in India for a separate cadre?—Yes. I desire to reconsider the answer to that question in the last paragraph. I have since thought over the matter and I think my position is this. For the existing posts of the Indian Civil Service cadre recruitment should be restricted to successful competitors, including Indians, at the open competition in England. In addition I desire to see a separate Service recruited in India partly by direct recruitment and partly by promotion from the Provincial Civil Service on the line of the present listed posts. I consider that the existing number of posts is inadequate for efficient administration, and such increase of posts as may be found necessary should be preferably filled by direct recruitment in India. I desire to substitute that for the passage in my answer to the question.

36958. How would you carry out your scheme for recruitment in India?—I should have it by nomination by the Executive authority, followed by examination.

36959. A competitive examination ?—Yes.

36960. Even when these candidates had passed their examination and had entered the Service they would belong to an entirely separate cadre from the Indian Civil Service ?—Quite separate.

35961. But the posts in that cadre would be identical with the posts in the Indian Civil Service ?—Some of them might be. I desire there should be an increase of posts.

36962. What particular advantage do you see in your scheme ?—I wish very much to see something in the place of what was the system of Statutory Civilians. That is to say, I desire that the younger sons of men of standing and good position should be induced to take part in the administration of the country.

36963. Would you include in this cadre the officers whom you would select from the Bar for the Judicial appointments ?—No; that should be a separate selection altogether. I desire to have the Judicial Branch quite distinct from anything else.

36964. So that you are practically suggesting three different Services ?—That is so.

36965. Do you think that the creation of three Services on the lines you suggest would lead to harmony ?—I think so. The only instances I can quote are the instances derived from the Statutory Civilians. I have never heard that there was any want of harmony or likely to be any want of harmony between them and the other Executive officers, if derived from the source that I desire to take them from, that is to say, a number of families of nobility and position and wealth.

36966. But do you not think that the very fact that these officers were in the same districts, carrying out the same work, but recruited to separate services in water-tight compartments, would be a source of a certain amount of friction ?—I do not think so. In the only instance I am able to refer to I do not think it was so. I think that one gentleman accepts another gentleman; it is a question of breeding.

36967. Looking at it from another point of view, the number of superior charges in the Central Provinces and Berar is 57. If this number were spread over three services, as you suggest, would it not lead to serious difficulties in regard both to recruitment and promotion ?—I do not think it will lead to any difficulties in regard to recruitment, but it might lead to difficulties on the question of promotion. But I desire to see a sub-division of the districts. I think the areas are greater than they should be. It will be more costly, but I do not think there is any difficulty in the way of promotion. It is a question of the sub-division of the present areas of charge.

36968. You would have a re-arrangement of the districts, reducing the areas, and thus making a larger number of districts ?—Yes. The present tendency, as far as I am able to apprehend it, is in favour of sub-divisions under Sub-divisional Officers. If those sub-divisions were grouped together and made into districts, I see no disadvantage.

36969. That would necessitate an increase of cadre over and above 57 ?—Yes.

36970. Have you estimated what that increase would be ?—I think it might very well go up to 61.

36971. Of course it would entail a considerable increase in cost ?—That I am aware of.

36972. Do you think that the increased efficiency under your scheme would make up for the large increase in cost ?—I think so, not only in efficiency itself, which I think would be greater with smaller areas, but also politically.

36973. Why do you think politically ?—I think that the introduction of this class of Civil Servant would have a very good political effect. He has not merely to be recruited by competition but he has also to be recruited by nomination and from persons in the Provinces.

36974. You do not anticipate that there will be any falling-off of homogeneity ?—I do not think so. You will quite apprehend that I put the Judicial Service absolutely apart. There will be no question of homogeneity between them and the Executive Service. But with regard to the other two Services, I think they will work perfectly harmoniously together. I have seen at least one example of it happen.

36975. Do you think that the Indian Branch of the Service would regard their status as being equal to that of the European Branch?—These gentlemen would absolutely do so.

36976. You would start your separate Judicial Department with District Judgeships and include Divisional and Sessions Judgeships, but you would not include in its scope the Magistracy?—That is so.

36977. You are satisfied that Magisterial duties are being satisfactorily discharged under the present system?—I think that the system is almost ideal.

36978. You would recruit to the Judicial Branch only Imperial Civil Service officers who had taken legal degrees?—Yes, as at present the recruitment is managed.

36979. You do not think that a junior officer need do the work of a Subordinate Judge before holding a superior position in the Judicial line?—I do not think it is of very much use to him if he is there for only six months. It is no doubt a training school if he is there for longer periods.

36980. You set more store by the legal training he would have received prior to his entry into the Service?—Yes. My legal training includes reading in Chambers.

36981. Are you satisfied with the type of Munsifs who are now being recruited?—I am also a Lecturer in Law at the Morris College, and there we have to lecture in the subjects which are requisite for the LL. B. examination at Allahabad; so that a large number, I may say perhaps almost all, pass through our hands; and I think that it is the best class, that is to say, the most able class, that do not elect for Munsifs' posts.

36982. It is not a sufficiently attractive Service to induce them to enter it?—That is undoubtedly so.

36983. Do you think that if the prospects of the Munsif were improved this might attract the class you mention?—I think it would undoubtedly attract them. The position attracts, but not the pay.

36984. Do you think that the Munsif should be included in the Provincial Civil Service?—I am of opinion that the Subordinate Judicial Service should start with one grade and the Munsif should disappear in that way. He could be called a Munsif but there should be just one Service.

36985. One Service right through?—Yes.

36986. Would you put that Service on a time-scale?—I should be quite willing to do so, but I have not considered the point.

36987. Are you in favour of the principle of a time-scale as a means of getting over the difficulties of flow in promotion?—I am for the Indian Civil Service, but I have not considered it in regard to the Judicial side.

36988. But you have blocks in promotion and very much the same difficulties on the Judicial side as you have on the Executive?—I am now speaking as it occurs to me, but I should think that from the Munsif up to the District Judge a time-scale might do very well, but not for the higher posts.

36989. In your answer to question (44) you say that in your opinion the Service appears to be over-manned?—I really meant over-recruited.

36990. You do not think it is over-manned?—I think the opposite; it was a misuse of the word.

36991. Do you take the view which other witnesses have taken, that there is an undue amount of work imposed upon the existing staff on the Judicial side?—I have not had the advantage of sitting as a Judge, and I think it depends very much upon the despatch of individuals and also very much on their knowledge of Law. A good lawyer can dispose of cases much more quickly than one who has to gather in each case what is the Law that applies.

36992. Are you in a position to say definitely whether in your opinion the number of Judicial officers is sufficient in this Province to do the work?—I think it is a question of despatch. Criticism is made by members of the Bar, and members of the Bar are of opinion that they could do it more quickly themselves, but I think it is entirely a matter of individual capacity, and that the average capacity is perhaps overworked.

36993. (*Lord Ronaldshay.*) I just want to be clear about your proposal for creating this new cadre. I understand that you would take some of the posts at present filled by Indian civilians and incorporate them into a new cadre altogether?—Perhaps my proposals would affect more the posts that are at present filled or allotted to Provincial Civilians, such as the Deputy Collectorships, posts which are at present held by Indians.

36994. The listed posts?—Yes.

36995. Would you add to those?—Yes.

36996. And incorporate them practically in the cadre of the Provincial Civil Service?—I desire it to be a separate Service, similar to that of the Statutory Civilian. That is what I am really aiming at.

36997. You have first of all your Indian Civil Service, then you have your service corresponding to the old Statutory Service, and then you would have the Provincial Service?—Yes, that is what I think it may amount to, but it should be called one Service, the Provincial Civil Service. There would be these posts which would be open to persons selected in this way. It really is only an extension of the present system of nomination.

36998. I understand that this new cadre you would like to see created is to be recruited by a system of combined nomination and competition?—That is so.

36999. Are any of the members of the Provincial Civil Service to be included in the new cadre?—Those at present in the Service.

37000. Not in future?—No; they would be all nominated on these lines.

37001. Have you considered what the effect of that might be upon the status of the Provincial Service? Would not that mean that in future you were going to take away from the Provincial Civil Service one of its greatest attractions?—That is so in a sense, but they are eligible for this. I have not dealt with the question of selection for promotion but only as to how the entry into the cadre is to be effected. After that I propose that a system of selection should operate at a

certain period, as it does at present in the Indian Civil Service.

37002. Do you mean that members of the Provincial Civil Service might be nominated for an examination for the new cadre?—Yes.

37003. Did I understand you rightly when I thought you told the Chairman you believed the officers of the new cadre would be regarded as in every way equal to, and as efficient as, those in the cadre of the Indian Civil Service?—Yes. I was referring then to those nominated from the families I have thought of, but if you include the whole of the Civil Service I still maintain that position. I do not think myself that the selection is at present from persons quite suitable.

37004. But you think that little deficiency could be got over by nomination prior to examination? —Yes.

37005. I may not have quite understood you but that seems to me to be inconsistent with your answer to question (7). In question (7) you are asked whether you would be in favour of a fixed proportion of the vacancies in the Indian Civil Service cadre being filled by Natives of India recruited by a separate examination in India, and you say you are not in favour of any such proposal. It seems to me that you are going to recruit your new cadre by a separate examination in India, although when you are asked that question you say you are not in favour of any such proposal because it would lower the general efficiency of the Service?—Yes. I am not asking for the Indian Civil Service to be recruited. At the present moment there are certain listed posts and it is merely an extension of the listed post system. The Indian Civil Service will always remain; I have never suggested any alteration in that. There are already the listed posts, and there might be four additional posts created, and they would be all posts open by selection eventually to one of these persons drawn from this.

37006. Let me try and put my point quite plainly. You object to a portion of the Indian Civil Service posts being recruited by means of a separate examination in India because you say that to take that course would be to lower the general efficiency of the Service. That is your first contention?—Yes.

37007. Your second contention is that you may create a new cadre and recruit that by means of a separate examination in India, and then you go on to say that the officers of that cadre will be in no way inferior in efficiency or in position to the officers of the Indian Civil Service. It seems to me that those two contentions are mutually destructive?—I have never suggested for a moment that these were Indian Civil appointments. I alluded to the fact that the sub-division was at present extending. There are also districts which are filled by statutory Civilians and those districts are generally not the most onerous and important charges. I did not consider that they would consider themselves equal to them, either in administrative capacity or in status in the Service; but they will not look upon themselves as inferior in any way in social standing. I used the word "gentlemen." What I wish to drive at is the fact that although a man may be holding even a subordinate post, still he may not consider himself inferior to the gentleman who is holding a superior post, although he may be willing to say "Sir" to him and to obey his orders when given. I am not suggesting that from the administrative point of view they are of the same standing.

37008. Then you would be very careful which of the Indian Civil Service posts you selected for handing over to the new cadre?—Certainly.

37009. You would only take light districts?—I would be even prepared to call them sub-divisions if necessary.

37010. (*Sir Theodore Morison.*) We have received evidence in a great many Provinces that the Statutory Civil Service pleases nobody?—I never saw the Statutory Act put into force myself, as I was not here at the time, but I have known two gentlemen who were in it. I have heard that people strenuously wished to get into it, but it disappeared. I am myself of opinion that if it were opened to the class of persons I have been referring to, it would be popular and would be sought for.

37011. It has been urged upon us on several occasions that it gives satisfaction to nobody and that nobody wishes to see it revived. I wanted to know whether the opinion of this Province was the same?—I have not taken the opinion of the general public or of the farming classes, but I have asked a number of people belonging to these families, and although the candidates would not be very numerous I understand that they would be very glad to see it. I am talking now of a class.

37012. You think that particular class from whom the Statutory Service was previously recruited would be very glad to see it revived?—That is my opinion.

37013. You know nothing about the opinion of the public on the point?—I have not ascertained it.

37014. You think that the combination in one officer of magisterial and other functions is of great importance, and you do not wish to see that disturbed?—No.

37015. You give various reasons, and you suggest that if a distinction were made, the collection of the Land Revenue would be made more difficult?—I have said that with some diffidence, but I adhere to it. I think it would lead to slackness and laxity in allowing the Land Revenue to get into arrears. There are provisions in the Code by which it could be summarily demanded, but I think it would lead to the tendency of thinking that it did not matter.

37016. What are the powers which enable the Magistrate to hurry up the collection of Land Revenue?—There are no powers; it is the knowledge that he is the Head of the District in every sense.

37017. The Head of the District and of the Police?—Yes.

37018. And he would remain the Head of the Magistracy and of the Courts in which Criminal cases are tried?—It is a question of belief.

37019. You do not think that the powers of a Criminal Magistrate make any difference in practice?—I think they do on the imagination only in respect of collecting the Land Revenue. I am confining myself to that.

37020. As a matter of fact those powers are never exercised to expedite the Land Revenue?—Not to my knowledge.

37021. (*Mr. Madge.*) You told us in the earlier part of your answer to the first question that the unit of Government is shifted from the district to the division. That rather goes against several passages in the report of the Decentralisation Commission, which practically recommends the district as the unit and almost suggested that the sub-divisions ought to be the unit, that is to say, to carry it as far down as the responsible officer who comes into the closest contact with the people. Are you familiar with that suggestion?—I gave evidence to the Decentralisation Commission, but I was not examined orally. I gave the same opinion then as I have given now.

37022. Have you seen the report since?—I have not. I speak merely from observation, and observation confined to these Provinces.

37023. Further on in the same answer you speak of the efficiency of the civilian who is an Indian, and you say he has to contend with the knowledge that the people will not unquestioningly accept and obey his commands. As those Indian officials whom we have had to examine do not appear to be conscious of that disability at all, I should like to know how you have arrived at that opinion?—I have met a number of Indians who have held the posts, for instance, of Deputy Commissioner. They are not Indian Civil Servants, in the sense that they are not members of the Indian Civil Service, but I find that, from whatever source they have been derived, they invariably take advice and wish to take advice in order to fortify themselves against what public opinion they apprehend will be afterwards.

37024. In a portion of your answer to question (6) you say the Indian as such has yet to be born. Do you mean that he is either a Hindu or a Muhammadan or something else, but not an Indian in a national sense?—That is my belief.

37025. Then it is your belief—and it is mine also—that the nationality talked about amongst some of the inhabitants of India is rather a thing that is yet to be?—May I call it embryonic.

37026. Do you expect that one day it will come about?—I think it is in the making.

37027. Has the dawn of that day arrived yet?—I think so.

37028. Could you say how long before the daylight will break?—I am afraid I cannot say that.

37029. In answer to question (7) you say: "The time has not come, and I hope will never come, when the question of a distribution of posts in the Indian Civil Service has to be considered from a racial point of view as apart from one of efficiency;" but in the next question you considered it is desirable that all classes and communities should have the Indian Civil Service opened to them, and you think that open competitive examination is the only effectual means of doing this. You draw a distinction between races and classes?—Undoubtedly.

37030. By classes you mean social distinctions?—Social distinction and pecuniary position. I have used the word "communities" on account of religious differences.

37031. As distinct from racial?—Yes.

37032. In answer to question (11) you suggest that ultimately only members of the legal profession shall be eligible for Judicial appointments. I think we have to consider two questions. The first is whether we are likely to get for any post a class of Barristers who would be willing to give up their profession for the Service?—I am of opinion that a Barrister making more than double the pay is quite willing to take a Judicial appointment.

37033. The second question is whether a Barrister, an English Barrister particularly, taking up a judicial appointment, would have any knowledge of the people and conditions prevailing in this country, especially away from large headquarters?—I have said that he must have had ten years' professional standing in this country. I do not agree with the view that it is the Executive officer only who is in touch with the people. I am a Barrister myself and I know that we have to come into contact with our clients and with our brother Barristers as well as with the many friends we make by settling in a place. I think we are quite in sufficient touch with the people after ten years' experience to be able to judge in a case the value of the evidence, and the persons giving the evidence, and of the nature of the case that comes before us.

37034. But a Barrister may have resided at the headquarters of a district or a large tract of country without ever having visited remote villages and acquired that knowledge which a District Officer acquires by moving about the country?—That is so, but the clients come to us and tell us their stories and we have to see the witnesses, and in the course of that, by our imagination, we are able to construct village life as if we had visited the spot on a tour.

37035. Do you think that the knowledge so gained compensates for any loss on the other side?—I think so. In addition to that you have to remember that even from the Presidency towns the Barrister goes out into the district to conduct cases.

37036. Frequently?—I am myself enrolled in Calcutta and I understand even in Calcutta and Bombay they frequently go up country.

37037. I have heard of their going to the headquarters of districts but not of their moving out of headquarters?—In this part of the world we have sometimes to go even into camp.

37038. (*Mr. Fisher.*) There are a few points of detail I should like a little further explanation upon, and the first is with regard to your proposal for a scheme of scholarships. Would you allow the University authorities to institute competitive examinations for these scholarships?—If they wished to do so.

37039. You would leave them latitude?—I have no knowledge of the subject, but I understand that the Indian Educational Service is recruited on something of these lines at home.

37040. With regard to your proposal for Statutory Civilians, is it your opinion that the comparative failure of the experiment was due to the fact that there was no competitive examination?—I cannot say, because I was not here at

the time when it ceased, but I have always wondered why it did cease.

37041. In any case you would lay considerable stress upon the competitive examination?—I should insist upon it.

37042. Following nomination?—Yes.

37043. I suppose that being so, your Statutory Civilians would be young men who had just taken their degrees? Yes, they would.

37044. And they would be in the same cadre as persons promoted from the Provincial Service?—That seems to me a possible difficulty, but I think it would work. Remembering that we live in India, remembering the caste system, and remembering the class from whom the Natives of India are now selected, I think it would work quite well.

37045. You do not think that your aristocrats recruited under the system of nomination and examination would feel themselves at all humiliated by being placed in the Provincial Civil Service?—They must bow down to the Brahman, I understand.

37046. I suppose that members who will be recruited into this Service from the Provincial Civil Service would be older?—I had not contemplated that; I am afraid I have not considered that. They would be a little older.

37047. The Statutory Civilians will be just past the graduate's age?—Yes.

37048. But the persons promoted from the Provincial Civil Service into this new cadre of yours would be older?—I should be quite willing to see that it should be one Service. I did not mean absolutely to make three Services. They would go in and take their chance, and go up with the others. I see nothing objectionable in their starting in that way.

37049. You propose that a knowledge of Hindustani and an ability to ride should be required of the competitors for the open competition in England?—It is pointed out that I am mistaken in saying Hindustani and I wish to withdraw that, but I still adhere to the riding.

37050. Do you not think it is sufficient to have the riding in the probationer course afterwards?—It might limit the competition very much if it were put there. I would not insist upon it.

37051. You do not attach so much importance to that?—No.

37052. I should very much like a little further explanation of a sentence in your answer to question (57). You say: "A very grave defect occurs at present in the fact that District Judges of the Provincial Judicial Service are appointed to act as Additional Sessions Judges"?—I am also Standing Counsel and in that position I have to appeal on behalf of the local Government against acquittals, and I have found that I have had to appeal against acquittals from these officers. You heard Mr. Stanyon, one of our Judicial Commissioners, refer to one case, and that is one of a number actually occurring. They have had no previous experience of criminal work and they treat a criminal case as if it were a civil case. They look upon the evidence as if it were evidence given in a civil case; they look upon documentary evidence as if it were being filed in a civil case; I have expressed myself rather strongly, and I adhere to saying that this is a grave matter and quite unsatisfactory.

37053. (*Mr. Sly.*) I wish to ask you a few questions about your proposal for a separate Judicial Service. I believe you are the President of the Bar Association?—I am.

37054. Do these views represent the views of the Bar Association as well as your own?—The views with regard to the recruitment of the Bench from the Bar represent the Bar Association. The views representing the separation of the Judicial and the Executive are my own views.

37055. But the proposal that the whole of the Judicial Service should be recruited from the Bar represents the views of the Bar?—It represents the views of the Nagpur Bar Association.

37056. I believe you also hold the post of Standing Counsel to Government?—That is so.

37057. And you have had, I suppose, both as Barrister and as Standing Counsel, experience of the work of civilians as Divisional and Sessions Judges?—As a Barrister I have had experience of both, and as a Standing Counsel I have had a little experience of the Divisional Judge.

37058. And of the Sessions Judge?—A little experience of the Sessions Judge.

37059. Can you give us your opinion as to the method in which the civilian performs the duties of Divisional and Sessions Judge?—As a Sessions Judge he is admirable. As a Divisional Judge he is weak in Law.

37060. Would you also say that that opinion applied to the member of the Indian Civil Service who was also a Barrister-at-Law?—So far as my experience goes. Yes.

37061. Then the fact that a man is a Barrister-at-Law is not a qualification to fill a Judgeship?—It is, if he has been trained properly as a Barrister-at-Law. A Barrister-at-Law involves not only passing certain examinations but almost invariably reading in Chambers and obtaining experience in every way of work at the Bar.

37062. But surely that is not the case with the ordinary Barrister-at-Law who comes out to India?—I think so in many cases.

37063. Take your Indian colleagues, have any of those you know been in Chambers?—Perhaps you will allow me to say that the mere fact of a civilian having qualified for a Barrister-at-Law at home does not necessarily involve the fact that after he had come out to India he had also been employed in dealing with the Law. Therefore he had not acquired what the Barrister-at-Law acquires at any rate during his ten years' experience, an amassed knowledge of Law. The knowledge of the Law is ready at hand in books of reference and statutes, but the Barrister who has been working in the Law had already got that, so that the mere qualification of a Barrister-at-Law in the case of a civilian does not necessarily, to my mind, imply that he has the same capacity as a man who has been practising at the Bar.

37064. If you get an Indian civilian who is a Barrister and who has had practical work and training as a Magistrate and as a Subordinate Judge, do you consider that he is an unsuitable source from which to recruit District Judges?—Certainly not.

37065. But if a civilian has had practical training as a Magistrate and as a Subordinate Judge, and in addition is a Barrister-at-Law, do you consider that he would make a suitable Judge ?—To coin a word, as far as "knowledge ability" was concerned he would do quite well, but I think there are other interests to be considered.

37066. We have had the opinion expressed to us that a civilian Judge of the High Court makes a very valuable addition to a High Court Bench of Judges, owing to the fact that he possesses a knowledge of what has been termed "the machinery of Government," a knowledge of the rural conditions in India, and is particularly qualified to deal with the administrative portion of High Court work. Do you agree or disagree with that opinion ?—I do not think there are sufficient posts on the Bench to allow of his being annexed to the Bench in that capacity.

37067. Do you consider that in the Judicial Service of the country there should be a minimum number of Europeans ?—I do.

37068. And I understand you propose to recruit that minimum number of Europeans by European Barristers who have practised for ten years in India ?—That is my wish.

37069. How many European Barristers are there in Nagpur ?—Three.

37070. How many European Barristers are there in Bombay ?—I do not know, but I have heard there are only six.

37071. Do you think that this would be a sufficient field for recruitment of the European minimum of Judges that you desire to see ?—Certainly not.

37072. How do you propose to work your scheme ?—It may be a counsel of perfection, but I think if a young Englishman, who is possessed of a small, assured income, knows that he can come out and look forward to getting an official post in India, he will be attracted, in the same way as his fellow is to come out in the Indian Civil Service.

37073. Then your scheme, as far as the European element to the Judicial Department is concerned, rests on the probability that it may attract certain European Barristers from England to a much larger extent than come to India at present ?—I am afraid so.

37074. If the magisterial powers were taken away altogether from the Executive and handed over to the Judicial Branch of the Service, would you still recommend this separate recruitment of the Judicial Service ? If the Judicial Service you contemplate had to do not only Civil Judicial work but also all the Magisterial work of the country, would you still recommend the system for adoption ?—No.

37075. Then you recommend that your proposed scheme should be introduced ultimately, and you give us an alternative proposal of what you think should be done if the Judicial Branch remains in the Indian Civil Service, and you start off with the postulate that the successful candidate in the open Civil Service examination should select at once either the Judicial or the Executive Branch. Do you think that a lad who has passed the open competition at that age is in a competent position to choose rightly his future career in life, whether it should be Judicial or Executive ?—Yes.

37076. You think that at an age when a man has passed the open competition the career for which his abilities suit him can be decided then and there ?—Yes, with the rare exceptions that prove the rule.

37077. Do you not think that at that young stage of life the glamour of the Executive work of the Service, camping and sport in India, will induce most candidates to choose the Executive ?—It appeals to the majority, but not all.

37078. After having selected he has to be trained at home as a Barrister-at-Law ?—Yes.

37079. He has then to be brought out to India and to start work as a Munsif ?—That was my proposition.

37080. Do you think that under such a course of training, simply as a Munsif in a Court, he could acquire the knowledge of the country and people that is essential to an officer who is to rise to the position of a judge in the country ?—I have not said he is to continue always as a Munsif. It would be possible for him to conduct Criminal cases.

37081. But your scheme does not contemplate that he should spend any period of his career otherwise than in a purely Judicial capacity ?—That is so.

37082. Do you consider that that would be a suitable method of training a junior civilian for the Bench ?—Yes, I do, except the scheme of taking a member of the Bar.

37083. You have further recommended that having passed through a certain amount of training as a Munsif he should then pass the LL. B. examination. Why do you desire that he should pass the LL.B. examination if he has already passed the Barrister-at-Law degree at home ?—Because I think the subjects which are set in the LL.B. examination, without being an undue strain upon him, are still such that they would be of the greatest advantage to him in acquiring a proper knowledge of Indian Law, and also of meeting the practitioners who appear before him.

37084. How long a course of study is required to secure the LL.B. ?—The actual course is two years, but that does not involve a two years' deputation.

37085. How would the civilian prepare for this examination ?—He has simply to pass the examination, which should not be to him a very difficult thing. I daresay there would be, what is perhaps objectionable, some cramming, and short leave might be involved.

37086. You have given an opinion with regard to the question of whether judges are overworked, and you have stated that it depends to a large extent on the despatch with which the Judge deals with his cases. We have received a good deal of evidence here to the effect that at least the Subordinate Judges are extremely overworked, so much so that it is alleged that none of them can ever hope to live to draw a pension of any kind or description. These subordinate Judges are all LL.B.'s who have passed through more or less the course of training you suggest. Do you consider they fail in the despatch of their cases in Court ?—I think there is a tendency to be diffuse. One

has to understand what proportion of time should be taken up by witnesses, what proportion should be taken up in writing a judgment and in dealing with a case generally. I did not say that selection merely on an LL.B. was sufficient under the present system.

37087. But so far as your course of training includes an LL.B. Degree it has tended to produce a set of Judges who are diffuse ?—I pointed out that they were not our best men.

37088. (*Mr. Macdonald.*) With reference to your proposal about the separate Indian cadre, will any member of that cadre do work that would be done by a member of the English cadre ?—He would if they were still termed districts.

37089. But in so far as you sub-divide, it would mean, would it not, that they had the same kind of work but over a smaller area ?—It would, but it might be even subordinate to a Deputy Commissioner.

37090. In that respect would not the work that you give to your cadre be work that cuts across the work given to the English cadre ?—Nothing more than it does at present. There are at present districts which are administered, one, for instance, by a Statutory Civilian, and one was also held by a Provincial Civilian of high rank.

37091. But if you increased your cadre whatever objection there is in that system is increased, is it not ?—Yes.

37092. It is very difficult for one to visualise what would be the organisation, but would it not be possible that you would have a considerable number of men in the lower grade of the cadre in training in the early years of the Service, and you would have a very narrow neck on account of the work you have to cut out for the Indian cadre ?—Which would be very small. I have only suggested four altogether in addition to what is already available ; six, I take it altogether.

37093. Would that have any sort of finality in view of the pressure ?—I think it would be quite sufficient in these Provinces at present and for some time to come.

37094. You would contemplate that if it were a success you would increase its number ?—Only if the class from which they were drawn increased. I do not see any possibility of any very rapid increase.

37095. Your safeguard against what I was going to put to you as to the narrowing of the middle of the English cadre, and then the extension at the top again, where you would get fearful blocks, is that this special cadre of yours containing the listed posts of the nominated civilians is bound always to keep perfectly small ?—I think relatively small, and would be always governed by the principle of selection in the final posts.

37096. You say in answer to question (3) that the ablest of the Indians do not go to England for the purpose of competing for the Indian Civil Service, and you would propose this University test which I think you said in reply to Mr. Fisher might be not the test of nomination but the test of a separate examination ?—That is so.

37097. When the men go to England and sit for a competitive examination you do not contemplate they would all get in ?—I think the large majority would get in, and perhaps all.

37098. What would you do with the failures ?—I think it would be most advantageous for them to come back to India and embark on some profession here, not the Law. They would be more likely tempted into commerce or into general civil commercial life, where I should be glad to see them.

37099. Would you make it a condition that they did not go into the Law ?—Certainly not.

37100. If the Law happened to be the most popular thing they would go into it ?—Certainly. The time would be against it.

37101. You would not suggest what other witnesses have suggested to us, that the man who failed for the Indian Civil Service in England should be guaranteed posts in the Provincial Civil Service ?—I would not do that as a guarantee.

37102. You also say that you do not think the competition for the Indian Civil Service and Home Civil Service should be combined, and you bring forward a somewhat important consideration there. Do I understand that when the Indian Civil Service suffers a slight eclipse in popularity then the men who come out at the top go into the Home Civil Service and the men further down take the Indian Service ?—That was the impression left on my mind from what I had heard.

37103. The impression that this makes on my mind is that you also want to say that although these men may be the very best men who can be got the mere fact that newspapers can say that the top men remain at home gives the Service as a whole a bad reputation ?—You have expressed it exactly.

37104. And that therefore the two examinations sould be separate ?—Yes.

37105. What value do you put upon a man's previous desire to come to India ?—The greatest.

37106. Have you heard it said that at present many men come out who sit for the examination primarily to get a Home appointment ?—I have heard it.

37107. And when the Home appointments are all filled up they have to come to India ?—Yes.

37108. If that is true, what view do you take of it ?—I think it detracts from their efficiency and also from their prestige. They are not as willing perhaps, quite unconsciously, they cannot be as willing.

37109. Assuming that, as we are told by some witnesses, there is a certain percentage of men who come out here not quite the right sort of men for India, is it your view that before we try any new system of selection or nomination or new method of examination, that possibility of producing the unsatisfactory man should be stopped ?—I am afraid I have not apprehended your question.

37110. We have had statements that there is a certain percentage, not a large percentage, of men who perhaps had better not come here at all, very good men in many ways, but who had better stay at home, and the proposal has been made to us that in order to stop these men coming here we should adopt the system of nomination. I ask you whether, in your opinion, some of those men come here because the two examinations are combined ?—I think it is possible, but I cannot speak with any certainty.

37111. In your answer to question (6) you lay great emphasis upon a public school training. You seize upon that as being the British characteristic rather than a University training. But you know there are some important districts in the British Isles where the public school system as it is known in England has never taken root?—I have not defined my public school.

37112. Would you mind defining it now?—I mean any school open to the public, any large school where a system of compulsory games is enforced on the boys who go there.

37113. That, of course, as you know, is not the definition of a public school commonly used in England?—No doubt it was my fault.

37114. You say "This is due to the fact that the spirit of caste is the breath of Indian national life." I think from the rest of your answers you do not mean to say that it is the breath of Indian educated national life?—May I give somewhat of the same answer there, that until the Indian is born it must be the breath of Indian educated national life. I take it you are referring to the Indian who is a citizen and inhabitant of the Indian Empire?

37115. Yes. Have you never come across that Indian?—I have not come across him; I have not seen an Indian who can be called a citizen of the Indian Empire. I have seen what was an approach to it in the younger generation, but I could not say it has arrived.

37116. Would you apply this statement with the same whole-heartedness to a man who has been through a University as you would to a man who has not been to an English University at all?—I am afraid so.

37117. Then of course it is no use my asking you whether you would apply it also to a man who has been through an Indian University?—That is so.

37118. (*Mr. Chaubal.*) I want to clear the ground about one question that was put to you by Mr. Sly. You were informed that Barrister Judges have given evidence that they find the assistance obtained from the Civilian Judge sitting by their side of extreme importance. A purely English Barrister, practising in the Presidency town only, and not going out into the mufassal, has generally no knowledge of the Land Revenue Code and the local Acts?—I should defer to you in that at once. I am not speaking from my personal knowledge.

37119. I want to know what your opinion is?—So far as I am personally aware of it, I should answer your question in the negative.

37120. That he does not know?—That he does not know. My experience is confined perhaps to a dozen people.

37121. I suppose you are aware that the Barrister who practises on the original side of the High Court would hardly ever have to refer to the Land Revenue Code?—I do not think it follows he is ignorant of it. But I am speaking very much in the dark.

37122. The Civilian Judge in the High Court who sits by the side of the Barrister Judge generally has had experience as a District and Sessions Judge for over fifteen years before he comes up to the High Court?—I have said that I have considered he would be most valuable.

37123. I quite conceive that he is valuable, but the value may be the value of his training and experience as a District Judge of fifteen years, and not necessarily his three or four years of camp life as an Assistant Collector. There are only one or two questions I will trouble you with about this matter of the separation, of which you have given such a doleful prophecy. You give your personal opinions, not the opinion of the Bar Association, about separation of the Judicial and the Executive? That is not an opinion which is based on any experiment having been tried, but only of what you apprehend would be the result?—May I know what is the passage where I describe the result.

37124. You say in answer to question (11) "The magisterial courts are attached to the executive side of the administration, and cannot be separated from it without gravely impairing the security and good government of the country, so that I am absolutely opposed to any separation, as it is called, of the Judicial and Executive." That is an expression of your own opinion not based on any experiment that has been tired?—No I have never seen an experiment tried.

37125. In the Presidency town the Magistrates are not subordinate to the Commissioner of Police and they are not subordinate to the Collector. They are entirely subordinate to the High Court. Has there been any complaint heard at any time that the Magistracy in Presidency towns are not properly controlled or supervised?—I know nothing of the Presidency towns, but I have always understood that rural and urban conditions are absolutely dissimilar and I have no knowledge that such a thing could happen.

37126. So far as the separation of the functions go you know that in the Presidency towns this separation has always obtained?—I know that of the Presidency Magistrates.

37127. And the Collector in the Presidency towns finds no difficulty in collecting the assessments or revenues, although he has not behind him the magisterial power which you refer to in the case of the District Magistrate?—I have no doubt that such is the case.

37128. So that so far as the fear you express about the difficulty in the collection of Land Revenue is concerned, it is only guess work?—The country side is not the town. Town conditions are absolutely dissimilar. As a visitor I am familiar with Bombay and I have been also to Calcutta, and I should say the conditions were absolutely dissimilar.

37129. The payment of revenue is a payment by a property holder whether he be in Bombay or in the districts, and you have admitted that as a matter of fact we rarely find that the District Magistrate has to exercise his criminal powers for the purpose of collecting the revenue. You only put it forward on the ground of prestige, which possibly affects the mind of the ratepayer or the man who has to pay the Land Revenue. Therefore, notwithstanding that the Collector in a Presidency town has not got this prestige behind him, he gets in his revenue all right?—The householder in the city is generally in possession of more cash than the farmer in the villages. Another thing is that there is a provision in the Land

Revenue Act whereby what is equivalent to a criminal distraint can be effected. I think to dissociate that from the position of District Magistrate would be a very serious matter.

37130. Nobody suggests that the Collector's powers under the Land Revenue Code should be taken away under any scheme of separation. The Collector as a Collector, and not as a District Magistrate has got such wide powers under the Land Revenue Code that it ought not to be at all difficult to collect any assessment whatever?—They are very loth to put that particular power into execution. I am merely speaking of matter of fact. The fact of the District Magistrate being associated with the Deputy Commissioner will work upon the imagination and have an effect upon the purse strings in the country and they will not be slack in paying revenue.

37131. I thought I heard you say in answer to Mr. Madge that you rarely came across an Indian Deputy Commissioner or other officer who accepts responsibility and does not consult his superiors before starting any action?—I did not say his superiors. I said he took advice.

37132. From whom?—From his colleagues, such as the Head of the Police, the Head of the Forest, the Doctor, and so on.

37133. What sort of things does he take the advice of the Police and Forest Officer and Medical man for?—In the administration of his district.

37134. Do you think he deliberately eschews taking any such advice in magisterial cases? The Revenue Officer who is at present clothed with magisterial powers has various functions, and you say that an Indian officer is apt to take advice from his colleagues, or as you expressed it, you rarely came across anybody who did not take such advice from his colleagues, whether inferior or superior I do not say. Now if a Revenue Executive Officer does that sort of thing, it is just possible that he might be doing it in Criminal cases which he has to try?—My experience of the Indian Officer under those conditions is that he is most punctilious, perhaps scrupulously punctilious. I said in his administration of the district, not dealing with isolated cases.

37135. I thought your answer meant that the magisterial work was a part of the administrative duties?—I have never looked upon it as such. It no doubt is in part, but I was dealing more particularly with cases.

37136. From your experience you are quite prepared to say that the magistrate can decide all and every case that comes before him with no idea in his mind whatsoever as to how his decision will be regarded by his Executive superiors?—Are we talking of the Indian Deputy Commissioner?

37137. I am speaking of the third class, second class, and first class magistrates. Is it your experience that in all the cases that come before these gentlemen to be tried they decide absolutely without any idea of how their decision is likely to be regarded by their Executive superior officers?—I have been here 22½ years and I have heard of three cases.

37138. (*Sir Murray Hammick.*) I should like to try to understand this scheme a little better. You proposed to give scholarships to assist Indians to get into the Civil Service by going home?—That is so.

37139. And you propose to have a Service out here which is to hold certain posts belonging to the Civil Service, which should be quite separate from it?—Listed posts and those added to them.

37140. You propose eventually to have a Judicial Service which will consist of men separately recruited?—Yes.

37141. How many posts are you going to give this separate Statutory Service besides the listed posts?—Four heads of sub-divisions or districts.

37142. You have no idea that the men in this Service should ever attain to Commissionerships?—I do not contemplate it certainly. I go so far, on the other hand, as to contemplate that the English civilian will only get a Commissionership under the strictest principle of selection.

37143. You speak in your answer to question (47) of the present anomaly being one of your reasons for wishing to see the abolition of the listed posts and their inclusion in a separate cadre for Statutory Civilians and also for the Provincial Civil Service. I cannot understand what you have in view there?—What I meant there was that I did not approve of a system by which you get persons supposed to be in the same Service drawing different pay for doing the same work. If it is a different Service I have no objection in what way the pay is graduated. I would not call them listed posts and say they were posts which by one man were to be held on a different salary from what they were held by another.

37144. You also speak of a separate cadre for Statutory Civilians and also for the Provincial Civil Service?—The "and also" ought to be "which would be also part of the Provincial Service."

37145. You would retain the Provincial Service as a separate service altogether?—Yes.

37146. And have this Indian Statutory Service?—No. I mean it is all one, but in this Service the system of selection should be nomination followed by examination, in order to attract not only the class that go into it at present, but also members of the other class to which I have referred.

37147. You would retain the name of Provincial Civil Service?—If you like.

37148. And the only difference would be that you would have two methods of recruiting into it; you would try and get the Statutory men into it by selection. Would you give them a better chance than the rest of the Service to obtain these high appointments?—None.

37149. What it comes to is that there will be an Indian Civil Service recruited at home and a Provincial Civil Service which will have more posts than they have at present?—Yes.

37150. That is to say, that the Provincial Civil Service will have more Collectorates and more Deputy Commissionerships given to them than they get at present. Do you think that that will satisfy anybody who is asking for the employment of more Indians in the Service? Do you think it will go the smallest way towards satisfying the public sentiment which has been expressed in the desire that the Indians should get more posts in

the Civil Service?—I leave the Civil Service absolutely open to everybody.

37151. By going home to England?—Yes. I give scholarships. I am providing here for a different class altogether. I am providing for three classes of persons, for the man who can stand up in an examination against his fellows at home, for the poor talented Indian who has gone to the University who is to have a chance by my scholarships, and I am also providing for raising the status of the Provincial Civil Service by attracting into it men drawn from families of the position I have suggested, and I am increasing the number of posts open to them.

37152. One of the great objections raised to the Provincial Civil Service as it stood was that being an inferior Service to the Indian Civil Service it did not attract men from the class that the Government desired when they selected Statutory Civilians, and therefore the Statutory Civilians were put directly into the Civil Service.—Every man wishes to rise to a position of command and government. I am now increasing that. Perhaps not on the same scale as a district, but I am offering to them six places where they can have entire charge subject to due subordination to a superior officer.

37153. Entire charge of a district?—Yes.

37154. (*Mr. Standen.*) I want to ask a few questions with the idea of giving the Commission some conception of the character of the work done by members of the Bar in India. In the first place are there a small number of very large money-lending firms in Nagpur?—Yes.

37155. In how many districts do these firms do business?—In a number of districts.

37156. You would say that there are three or four firms in Nagpur doing business in several other districts?—Yes.

37157. Could you give us any sort of idea as to what proportion of the civil business before the Courts arises from these firms?—A distinct percentage.

37158. Do these large firms always employ Standing Counsel?—As a rule.

37159. Would some of them have more than one?—Yes, a number.

37160. And there being no Solicitors in these Provinces the Barrister or Pleader has to deal direct with his client?—Yes.

37161. So that a member of the Bar here is the confidential adviser of his client exactly in the same way that a Solicitor at home is the confidential adviser of his client?—Precisely.

37162. Would it be correct to say that this must produce a man of a different type from the Barrister in England?—Are you speaking of an English Barrister who comes out here?

37163. No. I am comparing an English Barrister practising at home with an English Barrister practising in India?—An English Barrister after ten years' practice in India will have a different type of legal mind from the Barrister practising at home for ten years.

37164. And not necessarily only a legal mind but his outlook on life will be quite different?—I do not think so. I think the ground-work is the same and the man practising on a Circuit at home has very much the same class of work to do.

37165. You do not think the fact that he is also, in a sense, the agent of his client, will not produce a different frame of mind?—He is never more an agent of his client than he is at home in a case.

37166. Except to this extent, that he advises as to the way in which the case shall be instituted?—Only in the way that conveyancing people and others advise at home.

37167. Does he not go beyond that?—Not that I am aware of.

37168. Would it not be true to say that he advises on any matter of importance?—I have known of some cases where they do, but it is not the general rule. It is putting it high to say that I know of half a dozen cases altogether in the provinces.

37169. Do you consider that the fact that you have to deal direct with your clients may be said to increase the temptation to irregular conduct?—It is possible.

37170. I impute absolutely nothing of course to anybody?—I think it is possible.

37171. Do you think the moral fibre of the average member of the Indian Bar is stronger than that of a Barrister at home?—It is not less strong, the average fibre.

37172. But you think it is not stronger?—I could not say it was stronger.

37173. If the temptations are greater would it be correct to infer anything from that?—I do not think so.

37174. (*Mr. Mahdi Hasan.*) In reply to a question by a member of the Commission you stated you know that Indian Deputy Commissioners have asked advice from other officials in connection with administrative matters. Can you not say the same of European Deputy Commissioners or you confine it to Indian Deputy Commissioners whether in the Indian Civil Service or the Provincial Civil Service?—If desired I will hand the names to the President. I have said that I know of instances where Indian Deputy Commissioners have taken advice in administrative matters from the District Superintendent of Police, the Forest Officer, and the Doctor, and I am willing to give in some names if necessary.

37175. I do not want any names, but I wanted to know whether you refer to the Provincial Civil Service Deputy Commissioners or Indian Civil Service Deputy Commissioners?—I referred to more than one instance.

37176. Indian Civil Service Deputy Commissioners?—I will say not necessarily members of the Indian Civil Service.

37177. What do you mean by administrative matters. Are they not required to consult the Civil Surgeon and Commissioners of Police and Forest Officers and others on administrative matters?—I think the advice I am referring to was taken more in the nature of a panchayet than in the nature of a distinct reference. They sought advice.

37178. How many Provincial Civil Service Deputy Commissioners have there been in the Central Provinces?—There are very few.

37179. Can you give me the number?—I have known under half-a-dozen.

37180. In reply to question (12) you say "I would suggest the substitution of the word Indian and Anglo-Indian: Indian to mean all those referred to under the definition who have no English blood in their veins or are of English descent on their mother's side only; Anglo-Indian to mean all those referred to in the definition who are of English descent on their father's side." Will you state the reason why you would class as Indians such persons as are of English descent on their mother's side and as Anglo-Indians those that are of English descent on their father's side?—Because I have always understood that the wife takes her husband's nationality.

37181. (*Mr. Thakur.*) May I understand exactly what the position of the Provincial Civil Service is in your scheme?—I think it will be just the same as at present.

37182. All the listed posts at present open to the Provincial Civil Service will remain open in your scheme?—Quite open.

37183. If you are putting an obstacle in their way in getting from the Provincial Civil Service to the higher Service, once they have got over that obstacle and got into the higher Service would you make further progress easy to them?—I desire to put no obstacle in the way of one more than any other member of the Provincial Service.

37184. After a member of the Provincial Civil Service has been drafted into the listed posts, would you allow him to go as far as his ability, capacity, and time of service carry him?—And the conditions of his service carry him. I do not know what they would be.

37185. You have spoken of a case in which you say Additional District Judges trying a Criminal case look at evidence as if it were being given in a Civil case. Will you explain a little more fully what the difference is?—I will tell you what happened in this particular case. In this particular case a very important document was produced towards the end of the trial. It was a piece of evidence of great importance, and it was rejected as having been produced too late. A man's life depended on that document, but it was rejected as being filed too late.

37186. What difference did it make in the case, although the Judge may have been wrong in objecting to it?—The man was acquitted and the case is being appealed against. The Judicial Commissioners have already expressed some opinion, but the case is pending.

(The witness withdrew.)

(Adjourned till to-morrow at 10-30 A.M.)

Thursday, 20th March 1913.

THIRTY-SIXTH DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.
SIR MURRAY HAMMICK, K.C.S.I., C.I.E.
Sir THEODORE MORISON, K.C.I.E.
MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.
WALTER CULLEY MADGE, Esq., C.I.E.
FRANK GEORGE SLY, Esq., C.S.I.
HERBERT ALBERT LAURENS FISHER, Esq.
JAMES RAMSAY MACDONALD, Esq., M.P.

And the following Assistant Commissioners:—

BERTRAM PRIOR STANDEN, Esq., C.I.E., I.C.S., Officiating Commissioner, Berar.
RAO BAHADUR KASINATH KESHAB THAKUR, I.S.O., District and Sessions Judge, West Berar Division.
MAHDI HASAN, Esq., I.S.O., Extra Assistant Commissioner, Jubbulpore.

M. S. D. BUTLER, Esq., C.V.O., C.I.E. (*Joint Secretary.*)

R. N. MUDHOLKAR, Esq., Advocate, Judicial Commissioner's Court, Central Provinces and Berar.

Written answers relating to the Indian Civil Service.

37187 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—So far as European British subjects are concerned, the present system of recruitment by competitive examinations held in England for the Indian Civil Service has proved far more satisfactory than the system which existed in that Service prior to 1853 or which exists in the other Services even now. I am free to admit that the method of selection by competitive examinations is not

an ideal one. Many theoretical objections can be urged against it. Many flaws can be pointed out in actual working. But taken as a whole, it is less open to serious objections than any other system. It avoids the evils which are inseparable from a system of nomination; and with the adoption of a high standard, such as exists, it secures as a rule men of more than average ability and good education, who can hold up their heads and say "We are not recipients of favour and patronage." It may at times fail to give entry to men of exceptionally superior talents, but it shuts the door against the far graver evil of the admission through influence and favour of the large number of incompetents who invariably get in under a system of nomination. The principle underlying the method of admission by competition is as true to-day as it was in 1853, when the evils of nomination were exposed. I have seen so much of the unsatisfactory working of this latter system in regard to the appointments of both Europeans and Indians, that I would earnestly deprecate even the slightest relaxation of the rule confining admission to the Indian Civil Service by the door of an open competitive examination alone. There is in my opinion little justification for the opinion at times expressed that the present system has not given to the country as high a type of administrators as the old system. The majority of Commissioners and Collectors from among the "Competition-wallahs" are, in my opinion, more capable than the corresponding Haileybury men, while there are to be met always some very able and brilliant officers who can stand comparison with the best products of the old system. The high and exacting standard necessitated by the present system secures a more certain and steady flow of capacity than recruitment by nomination, which does not carry the same guarantees of ability. Indians, however, labour under a very great disadvantage under the existing system by the fact of the examination being held in England. Very few persons can afford to incur the heavy expenditure of two or three years' stay in England for the mere chance of obtaining an entry into the Civil Service. Those who have means (and their number is not large when we compare the extent of the country and the number of the population) have seldom the inclination and the application to go in for a difficult examination. The youth of the middle classes, who in India as in every other country constitute the backbone of society, have the ambition and the desire, but very few have the means. The result is that Indians do not have the same opportunities and facilities that the residents of the United Kingdom have; and there is a legitimate grievance that the examination in England does not afford to our men the fair field that they are entitled to have. They do not ask for any favour. All they want is fair play. There is not the least desire to obtain any lowering of standard or any special concessions; but there is an almost universal objection among the educated classes to the practice restricting the seat of examination to London. This subject will be dealt with further in answering questions (3) and (6).

37188 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—Sanskrit and Arabic should be placed on the same footing a Greek and Latin. In these latter the sub-division and marks assigned are:—

Translation	400
Prose Composition	200
Verse Composition	200
Literature, etc.	300
TOTAL	1,100

while for Sanskrit and Arabic the highest marks assigned are 800. I cannot say anything of Arabic as I do not know it, but Sanskrit, which I have studied, is so highly developed and so varied in its literature that it can justly claim equality with Greek and Latin. There is no reason why Indian History and Hindu Law should not be included among the subjects for the competitive examination. There is one matter of detail which is a source of great hardship. Under the rules only British subjects are eligible to appear for the examination. There are in India provinces and districts which are held by the British Government, on a permanent tenure, the administration of which is vested solely in it, over which it enjoys the most plenary jurisdiction, legislative, judicial and executive, but over which the nominal sovereignty of some Chief or Prince is preserved by treaty. The residents of these provinces and districts are for all intents and purposes as much British subjects as the residents of tracts forming the dominion of His Majesty the King-Emperor. It is a curious anomaly, causing grave injustice and hardship, that the residents of these tracts cannot appear for the Civil Service Examination which supplies officers who carry on their administration. The residents of the remotest parts of British India or of the British Empire can become and are members of the Berar Commission, but no Beraree can, if the entry to these offices continue to be governed by the same rules as apply to the Central Provinces.

37189 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—As indicated in my answer to question (1), I do not think that the present system of holding the examination in England is as suitable for the admission of "Natives of India" as it is for the admission of residents of the United Kingdom. These latter enjoy an advantage which is denied to the former, who are seriously handicapped in having to spend at least two or three years at a youthful period of life at a distance of 6,000 miles away from home and relations, and undergo a heavy pecuniary sacrifice in pursuit of an object very difficult and uncertain of attainment. These impediments are so serious that they have come in the way of many a brilliant youth, and effectually prevented them from trying for the Civil Service Examination. The result is that Indians are very inadequately represented in this the most highly considered of all the services, as in fact they are in all the higher appointments. Such a position has caused great dissatisfaction among all classes of the community who have intelligence and education

enough to understand these matters. In the interests of England and India alike, and for the good of the British Empire, the contentment and attachment of the Indian people demand the first care of Government and of the statesmen who conduct the affairs of the Empire. Justice and righteousness have been authoritatively laid down as the basal principles of British rule in India; fair and generous treatment of the people the key-note of its policy. The Statute of 1833 has laid down the eligibility of Indians to the highest offices under the Crown. The great Proclamation of 1858 has given the solemn pledge that as far as may be Her Majesty's subjects, of whatever race or creed, will be freely and impartially admitted to office in Her Majesty's service, the duties of which they may be qualified by their education, ability and integrity duly to discharge. To what extent has the right given by the Statute or the Proclamation been given effect to in practice? Twenty years after the enactment of the Statute of 1833 Parliament found that no effect had been given to that measure. During the discussion on the Act of 1858 enjoining the recruitment of the Civil Service by competitive examination, it was pointed out by Lord Stanley and several other members of both the two great parties, that the institution of an examination in England would not afford any adequate facilities to the people of India for entry in that Service. In 1859 a Committee of the India Office was appointed to go into the question. The members were all retired Anglo-Indian officers of long experience. In the report which they submitted in 1860 they recommended that to do justice to the claims of Indians the competitive examination should be held simultaneously in England and in India, that the candidates be classified in one list, and that the selections be made strictly in order of rank. No effect was given to this recommendation. Seven years later, at the repeated representations of the East Indian Association, Sir Stafford Northcote instituted nine scholarships, but these were withdrawn by his successor, the Duke of Argyle, who gave effect to the proposal of Sir Stafford Northcote for an amendment of the Indian Civil Service Act of 1861, empowering the authorities in India to appoint, under regulations to be framed, Natives of India as defined therein to scheduled appointments without passing the Civil Service Examination. After nine years' correspondence and discussion the required regulations were made and the Statutory Civil Service came into existence. The assignment of one-sixth of the scheduled appointments to be worked up to in an official generation was a partial though very inadequate concession to the just demands of Indians. But even such benefit as could have resulted from a wise and just exercise of the powers conferred by the Statute of 1870 was minimised by the unfortunate manner in which selections were made. In the discussion which preceded the promulgation of the rules, Lord Lytton penned a minute in which occur the following passages: "The Act of Parliament is so undefined, and indefinite obligations on the part of the Government of India towards its Native subjects are so obviously dangerous, that no sooner was the Act passed than the Government began to devise means for practically evading the fulfilment of it. Under the terms of the Act, which are studied and laid to heart by that increasing class of educated Natives whose development the Government encourages without being able to satisfy the aspirations of its existing members, every such Native if once admitted to Government employment in posts previously reserved to the Covenanted Service is entitled to expect and claim appointment in the fair course of promotion to the highest post in that service. We all know that these claims and expectations never can or will be fulfilled. We have had to choose between prohibiting them and cheating them; and we have chosen the least straightforward course. The application to Natives of the competitive examination system as conducted in England, and the recent reduction in the age at which candidates can compete, are all so many deliberate and transparent subterfuges for stultifying the Act and reducing it to a dead letter. Since I am writing confidentially I do not hesitate to say that both the Governments of England and of India appear to me, up to the present moment, unable to answer satisfactorily the charge of having taken every means in their power of breaking to the heart the words of promise they had uttered to the ear." Indians emphatically dissociate themselves from the insinuations against the authors of the Act of 1833, the Queen's Proclamation or the Act of 1870. But that there are powerful persons whose attitude is what is so aptly described by Lord Lytton cannot be gainsaid. When the appointments to the Statutory Service were made, the protest arose from the Indian papers from every province, that persons selected were not in the larger number of cases from among the capable, qualified and deserving ones. Since the fitness of Indians for employment in the higher branches of the administration would be judged by the success of the Statutory Service, it was, they said, eminently unfair to appoint men of barely average ability and very ordinary education to such posts, simply because they came from old families or had influence behind them, when there were hundreds of very capable and highly cultured men of high character and respectable families available in every province. Before many years had passed the Anglo-Indian Press began to talk of the failure of the Statutory Civil Service. The Public Service Commission of 1886, which was appointed to devise a scheme for the greater and wider employment of Indians in the higher branches of the Administration, did not give the simultaneous examination demanded by the educated Indians, but they even took away the Statutory Civil Service, substituting in its place an inferior service, and gave to the Indians sixty less appointments than what they would have got under the rules of 1879. Disappointed with the result of the Public Service Commission, their hopes were again roused when Mr. Herbert Paul's resolution passed by the House of Commons was referred to the Indian Government. But there also disappointment was in store. Though sixty years have passed since it was pointed out in Parliament that the examination in England would not afford to

Indians the facility for entry they were entitled to have, and fifty-three years since the India Office Committee recommended simultaneous examination, the disadvantages and difficulties the Indians labour under still continue and the only satisfactory solution remains still unaccomplished. The most necessary and the chief alteration I would suggest is that the competitive examination should be held simultaneously in England and in India, those who appear being classified in one list and selection made in order of merit. For further particulars please see answer to question (6).

37190 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I do consider that the combination of the competitive examinations for the three services is to the advantage of Indian interests in these respects: (*a*) it secures a high standard of examination, which I regard as absolutely necessary; (*b*) it minimises the chances of capricious or one-sided regulations inspired by powerful class interests; and (*c*) it provides in the Civil Service Commissioners an independent agency which, by its position, has to treat all questions as they would affect all the three Services. There is no material or other substantial advantage. Indians are excluded from service in the Crown Colonies except Ceylon, and in Home Service hardly one in a hundred is ever likely to enter.

37191 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I consider a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty, as not only highly desirable, but absolutely necessary if justice is to be done to the people of India and facilities equal to those afforded to the residents of the United Kingdom are to be afforded to them for obtaining an entry in the highest service in their own country. The question for consideration is whether loyal effect is to be given to (*a*) the Statute of 1833; (*b*) Her Majesty Queen Empress Victoria's great Proclamation of 1858; (*c*) His Majesty King-Emperor Edward VII's Proclamation of 1908; (*d*) the declarations and announcements of His Majesty King-Emperor George; or the policy described in Lord Lytton's Minute of breaking to the heart the words of hope uttered to the ear to be continued. Approaching it with the single desire to secure the best interests of England and India, I consider that the time has long come when Indians should be more associated in the higher work of administration than at present. The policy given effect to in the expansion and elevation of the Legislative Councils, in the creation of new Executive Councils, and of appointments of Indians in the Council of the Secretary of State and the Executive Councils in India, should be adopted in regard to the Civil Service and in the higher branches of all the different departments. Equality of treatment and equal opportunities are all that are pleaded for. The objections against simultaneous examinations are set out in the Government of India's despatch to the Secretary of State of November 1893. Briefly they are as follows:—(*i*) There are practical difficulties of serious character in introducing a system of simultaneous examinations. (*ii*) It would be unfair to the people of the Colonies like Canada, Australia, New Zealand, etc., to institute a simultaneous examination only in India. (*iii*) Open competition is not the best way of selecting Indians for the higher ranks of the Service. It may be necessary in Europe in order to check nepotism, but in this case nepotism is impossible. Probation by actual employment forms a competitive examination of the best kind. Competitive examinations in India would certainly have the effect of admitting a large number of competitors deficient in the qualifications necessary for the higher ranks of the Service and whose birth and antecedents would not be such as to command the confidence or the good-will of the classes for whose welfare they would be responsible; on the other hand, it would exclude the most valuable and capable assistance which the British Government could obtain from the Native of India, *i.e.*, the Sikhs, Muhammadans and other races accustomed to rule and possessing exceptional strength of character, but deficient in literary education. (*iv*) In order to ensure the efficient government of the country a minimum of European officials is indispensable. Such a minimum could not be maintained in the event of simultaneous examinations being held in this country. (*v*) It would be entirely out of the question to reduce the existing minimum of Europeans at the present time. The first objection has ceased to have any force now, as there is no *vivâ voce* examination, except the conversation test in French, German and Italian; and as to this there is no practical difficulty in a place like Calcutta or Bombay. As to the second argument, it cannot be treated as serious. The self-governing Colonies recruit their Civil Services within their own territories. Indians are practically inadmissible there, and with the obstacles interposed to the very entry of Indians in those Colonies, there is no reason why the interests of the residents there should claim any consideration. In the Crown Colonies, Indians are not appointed even if they succeed in the competitive examinations. In regard to the objections coming under the third group, I would, with the greatest deference, submit that it is not correct to say that nepotism is impossible in India. Numerous instances can be given of improper exercise of the power of nomination when the controlling check of a competitive examination is absent. When selections are made without any guarantees of culture or abilities and the nominees are as a rule confirmed, it is impossible to understand how "probation by actual employment is competitive examination of the best kind." There was an outcry in 1886 about the inferiority of the Statutory Civil Service. Similar charges are made now against the Provincial Service men appointed to listed posts. As a general statement these assertions are not correct in regard to tried officers of the Subordinate Executive and Judicial Services promoted to listed posts, but they are founded in regard to selections made on grounds

of high connection or race descent. This only proves that the method of appointment by nomination is as unsafe in India as in England. About competitive examinations giving admittance to a large number of competitors deficient in the necessary qualifications, it is submitted that they are more likely to secure those qualifications than a system of nominations. No person can successfully compete in an examination like the Civil Service unless he possesses intelligence of a high order, steadiness, sobriety, industry, close application, self-denial, self-control and perseverance. If any further guarantees of character are wanted they can be secured under a proper system. It might be respectfully inquired, what tests as to possession of character were applied in the case of those favoured persons who were honoured by local Governments with nomination to the Statutory or the Provincial Civil Service and other high first appointments. As to the plea about the social position and rank and about justice to the so-called martial races, I would ask whether the test of education, ability and integrity laid down in Queen Victoria's Proclamation is to be abandoned and a new test based on "high descent," as it is called, influential connections and race considerations to be substituted for it. It can be easily shown that indifferent education and assiduous attention towards persons of official eminence, combined with connection with some historic or rich families, were the only qualifications which some nominees to high posts possess. The excuse about possible injustice toward Muhammadans can have no meaning now when we see the immense strides made by that community in education and public life. It would be wrong to call the Muhammadan community a backward community. Education is also spreading among the Sikhs. Another wrong assumption is that persons who would in the majority of cases compete for the Civil Service would come from classes who in past time held no high political or official position and possessed no great social status. This assumption is in direct variance with facts. Such a thing cannot be said of the Brahmans of the Deccan, whose ancestors signalised their capacity both in the battle-field and in the region of administration. The Brahmans, the Kayasthas, or the Baidyas of Bengal have certainly been connected with administration. The majority of the Maharajas and Rajas, hereditary or otherwise, come from these classes. But I take a higher position. Is the British Government to be a unifying power or has it to countenance the perpetuation of distinctions of race, creed and caste? Are the highest appointments in the Public Service to go by merit or is a fictitious standard of balance of parties to determine these appointments? I respectfully submit, it is an utterly un-British position to take up. The only argument which deserves serious consideration is about the unimpaired maintenance of the ascendancy of the British principles of Government, and preserving the high standard of efficiency and purity of administration, which is the distinctive feature of that Government. I would, with due deference, submit that this is raising an issue which does not at all arise. The principles of Government are determined by Parliament, and the methods of administration by that authority, or the Secretary of State, or by the Government of India with his sanction. No District Officer nor even a Commissioner can make any change in the principles of Government or the methods of administration. It is impossible to conceive how those principles and those methods would be affected by the proportion of the Natives of India holding the scheduled appointments being 50 per cent. instead of about 18 as at most possible at present. One fact which is always impressed upon Indians is that the majority of Judicial and Executive officers commencing with Sub-district Officer and Subordinate Magistrates are Indians. Now, if with one million and a quarter of Indians in the Government service the essentially British character of the administration has not been affected, what basis is there for saying that danger would arise, if out of 1,444 of the posts coming under the Schedule 722 are held by Indians, instead of about 200 or 250 as under the present system. The argument to which the greatest weight is attached is that to maintain the essentially British character of the administration and to preserve British principles unimpaired, there must be a minimum of Europeans in the Civil Service; that the number of appointments open to Indians cannot safely be allowed to exceed a certain proportion; that the scheme sanctioned by Lord Cross in 1892 permits only a minimum of Europeans, and that the number of places open to Indians in India cannot now be increased without endangering the character of the administration. A cogent and I believe a conclusive answer can be given to that position. Taking first the last point, that the proportion of one-sixth which is proposed to be worked up to cannot be allowed to be increased, it has to be observed that this proportion of one-sixth was what was laid down in 1879. It was one which was evidently considered suitable in the state of things as then existing. During the 33 years which have elapsed since then, education has made tremendous advance. The number of capable men has immensely increased. The proportion which held good at that time can obviously not hold good now. With the vastly larger number of men of real education and culture a greater scope is necessary. The Government of Madras pointed out in 1893 that one-third of the scheduled appointments could even then be thrown open to Indians, and this was a view which the Honourable Mr. Garstin also—the dissenting Member of the Council—agreed to. That Government further stated that the limit of one-third would in course of time have to be raised. The argument, therefore, that the limit of one-sixth cannot be exceeded will not stand. But coming to the central position, what I would point out is that what is insisted upon for the preservation of the high English tone of the Government is the presence, not of Englishmen or of Britishers either, but of Europeans. The entry of Frenchmen, Germans, Dutch will not matter. They are of foreign extraction. Their political traditions are different. At times the relations between the nations from which they have sprung and the British nation may be strained. But they can be depended upon to maintain the character of the administration all the same. Irishmen, towards

whom a large body of Englishmen have intense bitterness and are considered by these as unfit for Home Rule, are deemed quite fit to maintain the British principles in India. The Boers of Transvaal and Orangia, with whom only twelve years ago there was a fierce war, can similarly be trusted. Indians, on the other hand, who feel and believe that their very existence is entwined with the maintenance of the British rule, who are saturated with the doctrines of English political philosophy, who have loyally and peacefully lived under the British flag, some for over hundred and fifty years and all for over sixty years, cannot be sufficiently trusted and relied upon to work the principles they believe in and have lived under from their infancy. I submit, what is of the real essence is the unimpaired preservation of the British principles of Government and of the British methods of administration. The race of individuals, who have to do it, is a matter of secondary importance, provided they have fully grasped those principles, caught their spirit, thoroughly understand and appreciate those methods. It is generally conceded that this essential condition is fulfilled by those Indians who enter the Civil Service through the competitive examination held in England. The high education which they receive and the personal knowledge which they obtain by residence in England are deemed to achieve this result. Now, what is there to prevent the acquisition of the same high education, the same personal knowledge of English political and social life by men appearing for the same examination held simultaneously in India, if these men after selection spend two years at an approved University or institution in the British Isles? What is required is that the superior agency in the administration possesses certain mental and moral qualifications and has come into contact with British institutions and society. The nationality of the individual is a matter of minor importance so far as this aspect of the case goes. Then again, what is the justification for the assertion that if the competitive examination is held in India along with the examination in England the Indians would extensively oust the Britishers? The Englishmen who say so do grave injustice to the capacity of their countrymen. The Indians who succeeded in obtaining entry into the Civil Service through the English examination have been for the most part men of exceptional calibre, and these men constitute a bare 5 per cent. of the successful candidates. If simultaneous examinations are instituted, another 5 or 7 per cent. from among the superior youths of India would probably be all that could succeed in getting in. Of the men who would get in by the Indian door some at least would be of European extraction pure or mixed. We can thus realise what is the real extent of the danger of which so much is made. Let us assume that the proportion of 5 Indians to 95 Britishers shown by the present method is so largely exceeded that as many as 3 Indians get in by the Indian door in addition to the one by the English door. That would only mean that by the method of simultaneous examinations there would be 20 Indians who would find entry in the Civil Service to 80 Britishers. Add to these 20 the *16 per cent. the maximum enlistment allowed by* the rules under the Statute of 1870, there would be only 36 Indians as against 64 Britishers, and of the 36 Indians some at least would be Statutory Indians of European descent. That would not be such an alarming proportion of Indians of pure descent as to seriously affect the fundamental character of the administration. The Government of Madras 20 years ago regarded one-third Indians in the Civil Service as not an objectionable number. The great thing to be jealously looked after is the purity and efficiency of the administration. Now, have not these essentials been kept unimpaired by Indian Magistrates, Collectors, and District and Sessions Judges? There have been instances of districts where the Collector and District Magistrate was an Indian, the Superintendent of Police was an Indian, the Civil Surgeon and the Superintendent of the Central Jail was an Indian, and nobody had any ground for doubting the purity of the judicial administration and the efficiency and strength of the executive administration. I ask our Government, I ask every liberal-minded and impartial Englishman, to consider the facts I have mentioned and then to say whether the system of simultaneous examinations is attended with the dangers attributed to it. It may result, and probably it will result, in some individual loss on a small scale to one class and a corresponding individual gain to the other. But as Sir Dennis FitzPatrick frankly admitted, the interests of a couple of hundred families are not the matters to be taken into account. If the assurances lately given of satisfying more fully the legitimate aspirations of Indians for larger employment in the higher branches of the Public Service are to be translated into practice, and they are to be fully and impartially admitted under the test of "education, ability and integrity," then the only safe way of doing so is by the method of competition. No other procedure can be adopted without serious disadvantages. Selection means more or less of favour and a lowering of standard. It brings in its train administrative inefficiency and deteriorations of character—of both the dispenser of patronage and its recipient. The Government and the people have to guard against this. The successful candidates should pass a period of probation of two years. These two years should be passed in England at some approved educational institution by those who appeared at the examination held in India. This would secure that knowledge of English life and institutions which it is desirable that members of the Covenanted Civil Service should have. I have said above that there is no real danger of the Civil Service being swamped by Indians. I believe that not more than one-third of the recruitment of each year by competitive examination will consist of Indians even under a system of simultaneous examinations. I quite admit the necessity of a substantial European element in the scheduled appointments. Supposing that one-third of the successful competitors are Indians, these, with the one-sixth of "Natives of India" entitled to be appointed to scheduled posts in accordance with the rules of 1879 framed under the Statute of 1870, would constitute 50 per cent. of the Civil

Service, and the other 50 per cent. would be Europeans. Such a proportion would be sufficient to give that security for the unimpaired preservation of the British spirit of the administration, about which apprehensions are entertained by some people. To allay such fears, I am prepared to concede that it might be laid down that the number of Indians recruited by the competitive examination held simultaneously in England and in India should not exceed in any year one-third of the total appointments open for competition in that year.

37192 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—As a compromise and to allay apprehensions given expression to by some about the deterioration of the character of the administration, I am prepared to have, as stated in my reply to question (6), a regulation laying down that, of the scheduled appointments exclusive of the one-sixth open to "Natives of India" by the rules of 1879 framed under the Statute of 1870, only one-third should be open to Indians; but I would not have a separate examination for it in India or in each province. I hold that no ground should be given for making any insinuation in regard to Indians entering the Indian Civil Service that they obtained entry under an easier examination than the competitive examination; they should be tested by the same standards as their European compeers. The method advocated in my reply to questions (3) and (6) is the most suitable one.

37193 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—This question has been partially answered. I have expressed my strong objections to nomination. Combined nomination and examination will probably not be so bad as nomination pure. But the door of favouritism and prejudice would be still kept open, and the demoralizing influences which I am anxious should be removed would still continue. The principle that all classes and communities should be represented in the appointments reserved for the Indian Civil Service is subversive of efficiency, opposed to the only safe standard of education, ability and integrity laid down by the Proclamation of 1858 and impossible of observance. There are some 2,400 castes and tribes in India according to the census tables of 1901. May I respectfully ask whether this principle of representation of *all classes and communities* is observed in the United Kingdom or thought of for a moment in regard to European Civilians? It would be interesting to know how this idea of having representatives of all classes and communities is given effect to at present or how it is to be worked out in the future. Let us take the 103 listed posts open to the Provincial Service. Is it possible to have representatives of the different sub-castes of Brahmans, of the Kshatriyas, the Vaishyas and the well-nigh innumerable castes and sub-castes who come below them? And then what of the aboriginal tribes? The only possible test and qualification is that of ability, education and integrity.

37194 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—This is practically answered. I advocate simultaneous examinations in England and in India open in both countries to all natural-born subjects of His Majesty, including in that term the permanent residents of territories held on a permanent tenure by the British Government and over which that Government has complete jurisdiction, legislative, judicial and executive.

37195 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—My system advocated above does not deal with the appointments which came under the Statute of 1870 (33 Vict., c. 3, section 6). I shall submit my views and suggestions in regard to the latter in answering question (21).

37196 (11). Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—The general administrative arrangement which I consider desirable is that there should be a complete separation of judicial and executive functions. In almost all the province there is now a separation of civil or judicial and executive functions. Criminal judicial functions should similarly be dissociated from executive functions. The Collector should no longer be the Magistrate of the District, and the Assistant Magistrates and Deputy Magistrates should not be Assistant Collectors or Deputy Collectors. The High Court Judgeships and one Membership of Council should belong to the judicial branch. The Indian Civil Service will have according to my idea to be split up into two branches from the beginning: (*a*) the Executive and General Administration branch and (*b*) the Judicial branch. There should be separate examinations for the two branches held simultaneously in England and in India. The syllabus for the Executive and General Administration branch should be the same as at present. For those who wish to compete for the judicial there should be a compulsory subject, Law, with 1,500 marks consisting of sub-heads (i) Roman Law and General Jurisprudence, (ii) Law of Contracts and Personal Property, (iii) Equity and the Law of Real Property, (iv) Criminal Law and Torts, (v)

Law of status with special reference to Hindu and Muhammadan Law, (vi) Evidence and Procedure, etc. The subjects for the other 4,500 marks should be any of the present ones, and the papers in these latter should be the same for the two branches, the Executive and the Judicial.

37197 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Acts, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any propopsals that you wish to make in regard to this matter?—The only change in the definition of the term "Natives of India" that I have to suggest (and I urge this most strongly) is to add after the expression "Dominions of His Majesty in India" the words "or within territories or places held and possessed by the British Government on a permanent tenure with full powers of administration, legislative, judicial and executive.

37198 (13). If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—I think the present limits are suitable.

37199 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—Twenty-five or twenty-six years.

37200 (15). What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons?—Do you recommend any differentiation between the age limits for Natives of India and for other natural-born subjects of His Majesty?—I think the present age-limits are quite suitable to Indians. I do not wish any differentiation in age-limits to be made between Natives of India and other natural-born subjects of His Majesty.

37201 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates?—There should be no differentiation in subjects.

37202 (18). Do you consider it necessary that certain posts should be reserved by Statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—I would keep the schedule to the Civil Service Act of 1861 with these two express provisos (*i*) that one-sixth of these posts are allotted for appointments under the Statute of 1870 (33 Vict., c. 3, section 6) and (*ii*) that the two branches, the Executive and Judicial, are kept separate.

37203 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—I have already stated that, speaking of the present time, I do think it necessary that half the posts reserved for the Covenanted Civil Service should be held by European British subjects and that the other half only should be open to Indians, $\frac{1}{3}$rd for those seeking entry by the door of competition and $\frac{1}{6}$th for appointment under the Statute of 1870.

37204 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre, partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—This is practically answered. The system I consider satisfactory is of admission by the medium of competitive examination held simultaneously in England and in India and of appointments by special arrangement made in India under Rules framed under the Statute of 1870 in the manner described in the answer to question (21).

37205 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—I am strongly in favour of the revival of the system of appointment of "Statutory Civilians" under the Statute of 1870. The chief merits of that system in my opinion were that (*i*) the appointments were to be one-sixth of the total number of posts reserved for the Covenanted Civil Service, (*ii*) the Statutory Civilians were members of the Civil Service as distinguished from persons appointed only to particular posts, and (*iii*) could thus claim to be raised to posts which are not open to members of the Provincial Service. The recommendations of the Public Service Commission of 1886 and the orders of the Secretary of State passed thereon, instead of advancing the position of Indians, distinctly set them back. The Provincial Service is an inferior service: the number in scheduled appointments listed as open to men of that service number only 103, whereas one-sixth of 1,444 comes to 240: no places higher than District Officers and District and Sessions Judges are listed as open. What was done by the recommendations of the Commission and the Secretary of State's orders of 1890 and 1892 was to create an inferior service for "Natives of India" such as had been proposed by Lord Lytton's Government in 1878 but advisedly and deliberately disallowed by Viscount Cranbrook. At least that measure of justice to Indians which that robust Conservative Statesman considered necessary should be accorded, to give due effect to the Statute of 1870. But the undesirable features of that scheme should be eliminated, *viz.*, the absence of guarantees of ability and education, which, owing to questionable selections, brought undeserved discredit on the system itself. What in my opinion should be done is to partition off one-sixth of the scheduled appointments up to Commissioners and Judicial officers of that standing, for the Statutory Civil Service: the salaries of the posts in this Service

should be ¾ths of the corresponding posts in the Indian Civil Service branch. For three-fourths of the Assistant Collectors, Assistant Commissioners and Assistant Judges in this "Statutory Branch," the recruitment should be by an open competitive examination for each province, the standard of which should not be lower than M. A. or M. Sc. standard: to the remaining ¼th the local Government may make nomination of persons of proved merit and ability from among the natural-born or domiciled residents of that area within the administrative or political jurisdiction of that local Government, such persons being at least graduates of an Indian or United Kingdom University of five years' standing. Of the higher appointments allotted to the Statutory Civil Service ⅔rds should be reserved for the persons so appointed by competition or nomination and ⅓rd should be kept as prize appointments to deserving members of the Deputy Collectors, or Deputy Magistrates and Sub-Judges classes.

37206 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—I would not advise the re-introduction in these Provinces of the system of recruiting Military Officers for posts in the Indian Civil Service cadre.

37207 (23). Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers from other Indian services?—I would not have men from any other department put in in any of the posts reserved exclusively for the Civil Service.

37208 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provinical Civil Service or Statutory Civilians may be appointed to one-quarter of the listed posts?—Please see answer to question (21). As stated above in answer to other questions, I am strongly opposed to the unfettered power of nomination. My scheme as sketched under question (21) allows the present percentage for nomination but insists upon some guarantee of ability and culture.

37209 (26). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—No, I am not. I strongly disapprove of the system brought into existence under the recommendations of the Public Service Commission of 1886 of mixing up the inferior uncovenanted Civil Service appointments with the posts specified in the schedule to the Civil Service Act of 1861. In my view the scheduled appointments to be assigned to the Natives of India under the Statute of 1870 should be kept separate from even such appointments as those of Deputy Collectors, Extra Assistant Commissioners and Sub-Judges.

37210 (27). Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—No. It is not. As stated in answers to foregoing questions, one-sixth of the "Superior" posts should be assigned for appointees under the Statute—that is 124 out of 743 and 107 out of 641 of the inferior posts. As to the reason, please see answer to question (21).

37211 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—Yes, I do.

37212 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—In my opinion the period should be of two years as formerly. Probationers who shall have appeared at the examination held in India should spend that period at some British University or approved educational institution. The courses of study for the final examination should be the same as now, with this difference that, if my suggestion (or something similar to it) in regard to a special kind of examination for persons recruited for the Judicial Service is accepted, these should be examined in Land tenures and Revenue system. The final examination should take place one year after the result of the competitive examination. The second year of probation should be spent by the probationers in the Judicial branch in attending Courts and sending reports with analysis and notes as under the system of 1891. Probationers in the Executive line should be required to attend the Home Office and India Office and submit similar periodical reports on appointed subjects connected with the general administration.

37213 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—I do not think any differentiation is necessary.

37214 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—In England. By all.

37215 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian services recruited in England?—Though the idea might at the first look appear a good one, it strikes me on fuller consideration as impracticable on account of the very heavy expenditure which it would involve and the inadequate results it would produce. With the second year of probation spent in practical instruction in superior surroundings, and under more liberal influences than can be had in an Indian college of the nature proposed, it would be a waste of time and money to have a further prolongation of the period of preparation for work.

37216 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first

two years of service at some suitable centre?—I think it will be desirable that each Provincial Government should arrange for the practical training of officers by suitable courses of instruction during the first one year of their service. Four months of this should be spent in the Secretariat by officers of both the branches: four months by the judicial branch men in the High Court working under the Judges and in the Registrar's office, and by the members of the executive branch in the offices of the Commissioners and Settlement Commissioners, Directors of Agriculture, etc. The other four months should be spent by the judicial officers with the District and Sessions Judge—two months,—one month with a Sub-Judge and one month with a First Class Magistrate. The executive officers should spend this period with the Collectors and Assistant Collectors, half at head-quarters and half in camp.

37217 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—Please see answer to question (34).

37218 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service?—If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I think there has been deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service. The causes appear to be the spread of knowledge of English in the country which has supplied for each office a staff most of whom can speak and write English and there can be had even private servants capable of speaking some kind of English. With exceptions here and there, there seems to be a disinclination to learn the language of the people or to know anything of its literature. I have come across very few of the present race of European officers who have attained an adequate proficiency in the vernaculars I know, whereas among the old race of officers I found men who spoke Marathi not only fluently but also with the tone and accent of an educated Maratha Brahman. I can suggest no other remedy except the awarding of prizes and the issue of general exhortations by Government, and, what ought to be more efficacious, by making the lower and higher standard examination more of a reality and tests of knowledge and proficiency than they in fact are. The present tests of knowledge of the vernaculars are ridiculously low. I would have these examinations, especially in the vernacular languages, conducted by an independent body like the University. It is not high scholarship that I insist upon but only sufficient study to be able to read easily, without anybody's help, petitions, reports, diaries, etc., to carry on an intelligible conversation with men of the people, to conduct the examination of witnesses, accused persons, etc., to translate petitions from vernacular into English and to write down orders in the vernacular.

37219 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the judicial branch?—Please see answers to questions (11), (30) and (34).

37220 (38). Do you recommend any special course of study in law in India for officers selected for the judicial branch?—If my system of a separate examination for officers recruited for the judicial branch be adopted no *special course* of study need be laid down during the period of training. What should be required is that during this period of attendance in the High Court, District Court, etc., an officer under training should every month prepare a certain number of cases, containing analysis of facts, précis of evidence and judgments thereon. This work should be examined and reported upon by the Judge under whom he might be undergoing training.

37221 (39). Do you recommend any special training in subordinate judicial posts in India for officers selected for the judicial branch? If so, please give details?—After the one year's training above referred to, a judicial officer should be required to work as a Munsif for one year, a Subordinate Judge for one year, a third class Magistrate for six months, a second class Magistrate for six months, and a first class Magistrate for one year, before he is appointed an Assistant Judge or Sub-divisional Magistrate.

37222 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—I would have no differentiation: and that for this reason. As far as possible an Indian coming under the system of competition should be appointed to a province other than that of which he is a permanent resident. The languages in the different parts being different and there being some difference also in manners, customs, land system, etc., Natives of India would have as much to apply themselves to a study of these as Europeans.

37223 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent?—No.

37224 (44). Do you consider that the numbers of officers authorised for the various grades of the Indian Civil Service are satisfactory? If not, please state your views?—It has not struck me that any change in this respect is needed.

37225 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—In my opinion the only persons

who had an equitable claim to the exchange compensation allowance were the persons of European domicile who had entered the services before the fall in exchange had become so pronounced as it did in the last decade of the last century. I do not think it should have been granted at any rate to persons recruited after 1893. But what has been done cannot be undone. There is, however, no justification for giving the allowance to persons who have not to make remittances to Europe for their families, *viz.*, wife, children, mother or dependent sisters or minor brothers; and it should be given to such officers only. This should not depend upon nationality. An Indian who has his family in England should get it as much as a European. The allowance should be given only when the conditions requiring remittances exist. I consider that in the future exchange compensation should not be granted to persons entering the service of Government from 1914 or 1915.

37226 (46). If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?—I would give no compensation for the abolition of the allowance.

37227 (47). Turning now to the case of the statutory civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—I would give them three-fourths of the pay of the post instead of two-thirds as at present.

Written answer relating to the Provincial Civil Service.

37228 (51). Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—I would suggest one alteration in the rules defining the general conditions governing recruitment to the Provincial Civil Service. Half the recruitment in the executive branch should be by direct appointments by a competitive examination open to residents of the province who are graduates or have passed the intermediate examination of an Indian or British University. The examination standard should be at least as high as that for the B.A. or B.Sc. examination. Two-thirds of the other half of these appointments should be for men of the subordinate executive service—Mamlatdars, Tahsildars—and the remaining one-third for nomination by the Local Government of provincial residents who are graduates of a University.

37229 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—Yes. I would make it clear that the subjects of Native Princes mentioned in Rule IV of the Government of India's Resolution No. 1046-1058 of 19th August 1900, are those whose homes are situated within the territorial limits of the particular province.

37230 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—For reasons mentioned already, I would deprecate the continuance of the principle of class and community distinction. To meet, however, any case of hardship I would, as mentioned in question (51), reserve to Local Governments the power to make appointments by nomination up to one-sixth of the total recruitment required for any year provided the persons nominated possess the minimum educational qualification prescribed in my answer to question (51).

37231 (55). Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend?—The arrangements for training should be of a similar nature to those suggested in my reply to question (34).

37232 (56). Do you consider that the numbers of officers authorised for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—The number of judicial officers is not sufficient in Berar. For further remarks please see answer to question (60).

37233 (57). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable and, if so, in what direction?—In the Central Provinces and Berar there is a practically complete separation of Civil Judicial functions from Executive and Magisterial functions. Now and then however, an officer of the Executive branch is invested with Civil powers. As urged in my answer to question (11) I would have a complete separation of Judicial functions, Civil and Criminal, from Executive functions. The differentiation of the Judicial and Executive branches advocated in regard to the Indian Civil Service should be extended to the Provincial Civil Service and the subordinate service. The Civil Judicial branch is already separated from the Executive branch. I would take out from the latter branch a number of posts sufficient to supply officers to deal with Magisterial work, and put them in the Judicial branch. Recruitment to the Judicial branch should be from Barristers, Advocates, Pleaders and Graduates in law only.

37234 (58). Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?—I have no objection to the designation.

37235 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed?

If not, what principle do you recommend?—Subject to what I have said above under questions (51) and (54) and to what I say under question (60), the principle seems to be all right.

37236 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—I am of opinion that the existing rates of pay and grading in the Central Provinces and Berar and of the judicial branch of the Provincial Civil Service are unsatisfactory. Munsifs in the Central Provinces and Berar and second-class subordinate judges in Bombay begin on Rs. 150 a month. The men are Graduates in Arts and Graduates in Law, and to give Rs. 150 or Rs. 175 a month to men of education who have to discharge important judicial functions is not fair to them or desirable in the interests of the dignity of the administration and the purity of justice. I consider that the lowest pay for Munsifs, or subordinate judges second class as they are called in Bombay, should be Rs. 200, and they should be included in the Provincial Civil Service wherever they are not included already as in these two provinces. It is only in the Bombay Presidency and in the Central Provinces and Berar that these judicial officers are given Rs. 150 as salary. I also consider that as in Bengal and Bihar the highest posts in the Provincial Service should be of Rs. 1,000. In the intermediate grades some additions will have to be made to give due scope for the promotion of the larger number of persons beginning on Rs. 200 and for the addition to the cadre in Central Provinces and Berar as suggested under question (56).

37237 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—They should draw three-fourths and not two-thirds.

37238 (63). Are you satisfied with the present system of superannuation pensions for officers of the Provincial Civil Service? If not, please say what modifications you would suggest and on what grounds?—Judicial work is far heavier and exhausting than executive work, and I consider that a judicial officer might be allowed to retire on invalid pension at the expiry of 22 years of service or 52 years of age, and on good service pension at the age 55 or after 25 years' service. In the scheme of the separation of judicial and executive functions which I have mentioned as proper and suitable, officers exercising magisterial and civil jurisdictions will all belong to the Judicial Department and the change in superannuation rules here suggested would apply as much to Magistrates as to Civil Judges.

MR. R. N. MUDHOLKAR called and examined.

37239. (*Chairman.*) You are an Advocate of the Judicial Commissioner's Court of the Central Provinces and Berar?—Yes.

37240. From 1910 to 1912 you were an Additional Member of the Governor General's Council?—Yes.

37241. Do you now occupy any public position?—I am Chairman of the Amraoti Municipal Committee.

37242. You are strongly in favour of a system of simultaneous examination?—Yes.

37243. Open in both cases to all natural-born subjects of His Majesty?—Yes.

37244. You press strongly for equality of treatment as between the two races?—Yes.

37245. In your answer to question (6) you summarise the arguments against simultaneous examinations by saying: "The only argument which deserves serious consideration is about the unimpaired maintenance of the ascendancy of the British principles of Government."—Yes.

37246. Even if simultaneous examinations were established you anticipate that only about 5 or 7 per cent. of the places would be taken by Indians in the coming years?—For some time to come, for five or seven years, there would not be many more than at present.

37247. What particular reason have you for making that estimate?—It is this. The examination is already of a high standard. I have heard it from persons who have appeared at the Civil Service examination in England: after taking high degrees in India, they went to Cambridge. One went in for Mathematics, and one went in for Science, and they both wanted to go in for Honours. They told me that it required special study on their part to keep up with the classes; and they also told me that the Civil Service examination is at least of as high a standard as the Honours examination of Oxford and Cambridge. It is upon a general estimate of the number of candidates who are successful in these examinations in England that I base my calculation.

37248. Holding that view do not you think that there is some risk that in the event of simultaneous examinations being established dissatisfaction will be caused amongst the Indian community on account of the very small results?—All that we want is that there should be equal opportunities for all. If a high standard is imposed for the examination it rests with the people who desire to get in to bring themselves up to that standard, and if only a small percentage can come in it will only mean that there is a small percentage fit to get into the service. We have no right to complain if, after being tried, we cannot get in in larger numbers. We must raise ourselves to come in in larger numbers.

37249. Apart from the fact as to whether you have no right to complain, and looking at it from a practical point of view, do you not anticipate that if the results are very meagre a demand will arise for a general lowering of the standard of the examination in order to enable more Indians to come in?—I. for one, would not sympathise with a demand of that character; and I do

not think from reasonable persons that such a demand would come for lowering the standard.

37250. But the world is not made up altogether of reasonable persons. I am asking you whether in your opinion a demand might not arise in that direction?—We have to remember that the high calibre of the Civil Service has to be maintained, and if for maintaining that high calibre the present standard is maintained how can persons whose opinions deserve consideration object? I do not think that there would be any objections from persons whose opinions deserve consideration. If there are persons who say that in order that more Indians might get in in larger numbers it should be lowered, I would have no sympathy with that view, and I do not think that those who wish for simultaneous examination at all wish for the lowering of the standard.

37251. You are aware that in the course of our long enquiry we have had before us several responsible witnesses who take an entirely different view from what you do, and who believe that, with the establishment of simultaneous examinations, and with the facilities for education now to be found in India, in a very few years' time a very large number of Indians will go in for the examination and pass successfully?—My own estimate about that is that the standard is so high, and Englishmen are in no way inferior (in some respects they are superior) to Indians, that there is no reason to apprehend that there will be what is called a swamping of the Service by Indians. There are some people who entertain those apprehensions; but I myself think that there is no ground for that apprehension.

37252. You are desirous, then of seeing a true British tone maintained in the Administration in the future?—Yes.

37253. You also contend that it does not matter much what is the proportion of Indians in the Service, because the Government is British. Putting it shortly, that is your case?—Yes.

37254. Would you not say that if a majority of the superior posts in the Civil Service were occupied by Indians, that would have a very material effect upon the whole tone and influence of Government?—It is for that reason that towards the end of my reply to that question I say that, as a matter of compromise, and to allay all apprehensions on that point, at least 50 per cent. of the cadre should be British; and therefore I have said that excluding the one-sixth which I have suggested should be listed for the Statutory Civil Service, out of the other which is open for competition, only one-third should be open to Indians. That would maintain throughout the whole Civil Service cadre not less than 50 per cent. of Britishers.

37255. Could you tell me shortly how you would in practice restrict the number of Indians under a system of simultaneous examination?—What I would suggest is that simultaneous examinations should be held in India and in England; then all the persons are classified in one list according to the order of marks, and then if only 60 are to be recruited in that year, and more than 20 Indians come into the list, then the others below 20 will be excluded.

37256. It really comes to this, that, to meet any objection which may be raised to an unguaranteed simultaneous examination, you would approve of a scheme by which a form of simultaneous examination would be introduced which would permit of the filling of only a limited number (you put it at one-third) of the vacancies with Indians?—Yes. I may mention that I believe this would be necessary at the most for about 20 or 25 years. By that time, probably, the unifying process, upon which I set great store, the unification of Indians and Britishers, will be far more advanced, and there will be less apprehension about any results following from the larger admission of Indians, and probably by that time Government themselves would see the desirability of doing away with the restriction.

37257. In your answer to question (3) you discuss the different lines of policy which have been taken by successive Secretaries of State, and you say: "Seven years later at the repeated representations of the East Indian Association, Sir Stafford Northcote instituted nine scholarships, but these were withdrawn by his successor, the Duke of Argyll." Can you tell me how long these scholarships were in existence?—I believe only for one or two years.

37258. Not long enough to show any definite results?—No. I believe the reason assigned was that the Statute of 1870 enabled the Government to appoint Indians without rendering it necessary for them to go over to England for the Civil Service examination.

37259. Would you approve, as an alternative to simultaneous examination, of adding facilities for sending Indians by means of scholarships to the different Universities?—In the absence of simultaneous examinations, as "half a loaf is better than no bread," on that principle I would accept it, provided the number is adequate. That would depend on the number of scholarships.

37260. What would you regard as an adequate number?—I should think not less than 25 a year, because there would be some failures.

37261. That would be five scholarships to each University?—Yes.

37262. You lay great stress on the importance of having the examination conducted by the Civil Service Commissioners?—Yes.

37263. What are your reasons for preferring this agency?—Because they take the interests of what may be called the Civil Services of the Empire as a whole; and for that reason they are very careful in maintaining a high standard, that is the reason. After all, they are an independent body not connected with any Administration.

37264. In your answer to question (2) and again in your answer to question (12) you lay stress on the disability which at present attaches itself to the subjects of Native States in the matter of entry into the Civil Service?—Yes.

37265. Do you mean that the inhabitants of Berar are unable to enter the Civil Service?—As the law is interpreted now by the Legislative Councils, Berar is not considered a part of British India, and Beraris are not considered as

British subjects. As Berar, so far as tenure and administration is concerned, is entirely under British control, it is only just that Beraris should be placed on a footing of equality with other parts of India administered by the British Government.

37266. You would extend that policy to the Native States generally?—Yes.

37267. You are strongly opposed to any class representation in the Service?—Yes.

37268. Looking at it from a practical point of view, do you think that officers drawn from Provinces many miles away can carry on the administration with the same efficiency and harmony as officers who are more familiar with the people of the Province in which they are serving?—I will give your Lordship certain instances. For instance, Sir T. Madhava Rao. He belonged to Southern India. He is known as one of the most capable administrators of these times. He belonged to Tanjore in Southern India. He was Diwan of Travancore. On account of his abilities he was taken by the Maharajah of Indore; and many of the reforms which were introduced into the State of Indore were all the work of Sir T. Madhava Rao. Even now his administration is mentioned with approval by the people. There is another person, Mr. Srinivasa Aiyangar. He belonged to Madras, and was taken by the Gaekwar of Baroda. There are certain matters in which there are differences in different Provinces of India with which administrators have to deal; on the other hand, there is also a great deal of similarity between the different parts of India.

37269. You are speaking of individual cases which I can quite understand, but supposing that under your open system officers happened to come from a particular Province, would you apprehend any difficulties?—As far as my knowledge goes, no difficulties have arisen by the admission of Bengalis to the Civil Service. They are administering in parts of Madras and Bombay, and the Punjab, even, for the matter of that. No such difficulties have arisen, and I do not apprehend any such difficulties in the future.

37270. You plead for separate recruitment for the Judicial and Executive branches of the Administration?—Yes.

37271. What advantages do you see in this?—Law is a very special subject. It requires special study for at least three years. Persons who are recruited for the Executive Branch need not have that special knowledge of law, which it is very necessary that those who enter the Judicial Branch should have. It is, I believe, the experience, also, of members of the Civil Service, and of the Government, that unless a Judicial officer makes a special study of law he does not impress those over whom he exercises authority. He has to carry on the administration with that same confidence which it is desirable to have. I therefore wish that they should specialist from the very beginning, and that those who wish to go in for the Judicial Department should make their selection from the very beginning. Therefore, with regard to them I suggest that they should have one compulsory subject; and that the remaining 4,500 marks should be taken for the other general subjects.

37272. You suggest two definitely distinct examinations?—Yes.

37273. One examination for the Executive, and another for the Judicial?—Yes.

37274. But would you not say that it is important for an Executive officer to have a certain grounding in law?—That is provided for in the present course after the preliminary examination. They have to read Hindu Law, the Law of Evidence, etc.; and they have also to read certain other things during that period of probation, so that if the knowledge provided under the system of 1891 is introduced, namely, that they should attend certain Courts, which gives them special knowledge of the general principles of law, they have fair general knowledge.

37275. Do you agree, generally, with what is known as the Macaulay principle?—Yes.

37276. Do you not think you would be running a risk of violating that principle if you introduced a special examination in law?—I do not think so, because there are only 1,500 marks assigned for this compulsory subject; the other 4,500 marks would be a test of general culture.

37277. Do you think that the experience which a young officer has for three or four years as an Executive officer is of use to him when he joins the Judicial Service?—Yes, I do think so; but that, I believe, can also be secured in the probationary period and in the period of training after he comes to India. After he comes to India he has to pass, according to my scheme, a period of training of at least one year. During that time he may be told to accompany a Deputy Commissioner or a Commissioner on tour for some time.

37278. Do you think he would get as good a training in a year as he now gets in his three or four years' course?—There is one thing I would bring to Your Lordship's notice. According to my scheme I require that persons who select the Judicial line should, during that period of probation which is to be spent in England, be specially called upon to study the Land Revenue system, the law of our Land Tenures, etc.; so that all that can be gathered from books will be acquired by them there. They will also have to study the History of India, which would mean the history of our present administrative methods. They would, therefore, come equipped with a certain amount of knowledge. The further requirements would be more mixing with the people themselves, and that can be managed I believe, though not to perfection, by the method I suggest.

37279. Have you estimated, at all, what would be the cost of your proposal for a complete separation of the functions of officers?—I believe the cost would not be very great, and for this reason, that our Districts would have to be entirely altered. There would be one person whom we shall call the Collector. The Collector is also the District Magistrate. In my scheme the Collector would have nothing to do with criminal work; so that instead of having one man as Collector and Magistrate we would have one man as Collector for the present two districts, and one man as Magistrate for the present two districts. That would only mean altering the boundaries;

and to some extent, I think, it is likely that the number of officers may have to be increased.

37280. That means the absorption of two districts into one?—Yes.

37281. That may be simple in some Provinces where the districts are small; but would not there be practical difficulties in some Provinces where the Districts are already considered to be almost too large?—We have got pretty large districts in the sub-Province of Berar. At present what they have done is,—not with regard to criminal judicial administration but with regard to Civil Judicial Administration—that there is one District and Sessions Judge for the two large districts of Amraoti and Yeotmal; and one District Judge for the two large districts of Akola and Buldana. There are Additional District Judges working under the District and Sessions Judge in Amraoti. It was found necessary to have two Additional District Judges; but, all the same, there is only one District Judge for those two large Districts. I do not think any difficulty at all has arisen. Formerly the Deputy Commissioner was also the District Judge. All the administrative work of the District and Sessions Judge was done by him. What is done is this. The Deputy Commissioner is relieved of that portion of the Civil Judicial functions, and all that is concentrated in the District and Sessions Judge of those two districts, and no harm at all has come about.

37282. From your reply to question (51) I gather that you have an inherent objection to the introduction of nomination?—I have already stated that a system of pure nomination has, by experience, been found very unsatisfactory.

37283. You propose a form of nomination, do you not?—Yes. It is only as a matter of compromise, because there are certain interests which it might be desirable to keep in view. It is only as a matter of present convenience that I suggest and that to a very small extent.

37284. In your answer to question (60) you say: "I am of opinion that the existing rates of pay and grading in the Central Provinces and Berar and of the Judicial Branch of the Provincial Civil Service are unsatisfactory?"—Yes.

37285. I daresay you have read some of the evidence we have had given us by previous witnesses. Do you give your general approval to the proposals for the improvement of the Service which have been laid before us, both with regard to a time-scale, and so on?—Yes.

37286. Do you consider that officers of the Indian Civil Service and of the Provincial Civil Service are, generally speaking, overworked in this Province?—Yes, they are, especially in the Judicial Department.

37287. You think there is room for more posts?—Yes.

37288. (*Lord Ronaldshay.*) You have told us that you are very strongly opposed upon principle to any system of nomination?—Yes.

37289. And you have told us that you have come to that conclusion because you have seen so much of the unsatisfactory working of the system of nomination in regard to appointments of both Europeans and Indians?—Yes.

37290. Could you tell us a little more definitely what your experience has been of this system?—I am prepared to give names, if necessary.

37291. No; I do not want names. What I mean is this. The Indian Civil Service has not been recruited by a system of nomination for the last sixty years, has it?—No. It is not in regard to the Indian Civil Service proper, but in regard to the statutory appointments made under the Rules of 1879.

37292. You are referring to the Statutory Civilians?—Yes; because the question of nomination arises only with regard to that; otherwise, for the Indian Civil Service, as it is called at present, there is no question at all of any nomination: it is pure competition.

37293. Europeans were not appointed to the Statutory Service, were they?—But there were other places for which they were appointed. I am speaking, generally, of the system of nomination. There were also certain provinces where appointments were made in the Executive and Judicial posts by nomination.

37294. As the result of your experience of this system, you have come to the conclusion that it ought to be eliminated as far as possible?—Yes.

37295. And you made just the small exception with regard to the Provincial Civil Service, that you would still like to see one-sixth of the vacant places filled by nomination by the local Governments?—Yes, power should be given, under the limitations pointed out by me, to the local Governments to make nominations if they so choose. It is only to that extent that I would leave scope for the local Governments.

37296. With regard to the Indian student going to England, you say that it is a great disadvantage to an Indian student to have to go to England and spend a considerable amount of money in undergoing the course of instruction for the competitive examination. The question I should like to ask you is whether you can tell me whether there are a considerable number of Indians going to England now, not in order that they may go in for the competitive examination for the Civil Service, but in order to train for the Bar, and the medical profession, and so on?—There are certain specific instances I had in view. They were men who were above the average. They missed getting in by only a few marks. During the last five years there have been three such cases. They were men who belonged to what might be called the middle classes, whose fathers were getting something like Rs. 400 a month. Part of the money to send them to England was borrowed on loan, and part was given by scholarships. One was a Tata scholar. In that way they went to England. They mainly went for the Civil Service, because they had made some mark here in their Colleges and Universities. One came out, when he failed, as a barrister. He died, unfortunately, afterwards. But he went mainly with the object of going in for the Civil Service.

37297. I must interrupt you for a moment. I do not think you quite understood my question. All I wanted to know from you was really if you can tell us whether there are not a considerable number of Indian students who go to England now not to compete at the competitive examination, but in order to be called to the Bar, and go into the medical profession, and so on?—With regard to them, they generally succeed.

37298. That is not the question I am asking you. All I want to know is whether you can tell me whether there are considerable numbers of Indian students who are going to England now to train for the Bar and the medical profession, and so on?—Yes, they do go.

37299. There are a good number?—Yes.

37300. About what age do they go?—They generally go at about the age of 20 or 21.

37301. They do not go until they have graduated at a University here?—No, the majority of them do not.

37302. Are there a certain number who go at a considerably younger age?—There are a very few, but there are some; and they are the sons of well-to-do parents who make arrangements for some member of the family to look after them in England. There are some families that I know of in Calcutta who have kept their sons in England at public schools, and so on. Barring these, the majority go after the age of 20.

37303. I really asked you that question because I wanted to know, in the event of the age-limit for the competitive examination being reduced, whether any considerable number of young Indians would go to England at an earlier age than the graduate age out here in order to compete for it?—I fear not. Very few people would be willing to send their children at the earlier age.

37304. You have referred to a Minute by Lord Lytton. I should like to know whether that has been published, and whether a copy can be obtained.—Yes.

37305. I see Lord Lytton says: "Since I am writing confidentially"?—It was published.

37306. It was published in spite of the fact that he was writing confidentially?—I do not know how it came to be published. It was published, and it has been the property of the public for more than five and twenty years.

37307. Then I shall have no difficulty in getting a copy of the Minute?—No, I should think not. It is in one of the blue-books.

37308. With regard to the conclusion at which you arrive as to the number of Indians who might without inconvenience be admitted into the higher ranks of the service, you say that you think at least one-third of the higher posts might, without in any way affecting the efficiency of the Administration, be filled by members of the Indian community?—Yes.

37309. And in support of that you quote a statement made by the Madras Government twenty years ago to the effect that they see no objection to one-third of the higher posts in Madras being held by Natives of India?—Yes.

37310. I want to know whether you can tell us what experience the Madras Government had had at that time of Indians serving in the higher posts?—It is stated that there were very few Indians at that time in Madras, but the Madras Government had a very large experience of Indians who were serving outside the posts held in the Indian Civil Service, and they could very well judge from the materials they had before them in the other Services as to the calibre of Indians.

37311. What services would these be?—They were persons who held charges of sub-divisions and districts; Deputy Collectors and so on. They were persons who occupied Judicial posts with appellate powers; they were persons who occupied the High Court Benches.

37312. But I understand when the Madras Government made that statement, they had, as a matter of fact, only one Indian who had served for two months as a District Officer, and only one Indian who had served as a District and Sessions Judge. It seems to me, therefore, that the experience was not sufficiently great to enable them to give a very valuable opinion?—As I mentioned, they had under them persons who administered large States. You must remember that some of those persons who administered States in Central India and Gujarat came from Madras.

37313. So you think, therefore, that they were in a position to form an opinion which ought to carry weight?—Yes.

37314. You have taken that proportion as the basis of your scheme for recruitment in the future?—It is not entirely based upon that.

37315. You have taken that one-third as a rough working proportion?—Yes.

37316. Do you really think that the system you suggest would be a practical one? Is not a competitive examination, with a restriction imposed upon the number of vacancies which may be filled by one of two competing classes, really a contradiction in terms?—It is not of my choice. It is what is imposed upon me by the objections raised.

37317. At any rate, this is the scheme which you have suggested for our consideration, and I want to examine you upon it. Let us take a concrete example. Supposing you have to fill sixty vacancies in any one year. Under your scheme you would have the examination held both in England and in India?—Yes.

37318. And under the condition of your examination you would say that forty of these places must be filled by Europeans and that twenty may be filled by Indians?—Yes.

37319. I want to know this. Supposing that as a result of the examination you find the first sixty places filled by thirty Europeans and thirty Indians, what are you going to do then?—As I said, such a contingency is not likely to arise: it is extremely remote, I should say. But, as it is considered desirable to have a minimum number of Europeans I, as a matter of compromise, am prepared to lay aside my logic, and in practical politics you have very often to lay aside logic, and to hit upon a compromise, which cannot stand the stern logic of the logicians.

37320. I can realise that; but, really, if we are to seriously consider your suggested scheme we must examine it as a practical one. You may consider it unlikely, but supposing, as I suggest, thirty Indians and thirty Europeans come out in the first sixty places in the examination, you would then, as I understand, tell ten Indians that they may not reap the rewards of their labours, that they may not get places in the Indian Civil Service, and you would bring up ten Europeans who had been beaten by those Indians and put them into the Service in their places?—That is because it is considered necessary

to have a minimum of Europeans. What I say is this. The logical thing would be to have a simultaneous examination, pure and simple.

37321. That is not the question I ask you. What I want to know is if that is the procedure which would be followed under your scheme?—Yes.

37322. As a practical man, do you mean to tell me that if that were done you would not have the Congress in this country immediately agitating and saying that it was a monstrous thing that these ten Indians, who had proved that they were superior to the ten Europeans, should have to give way to those ten inferior Europeans?—As we have to put up with the smaller evil for the greater good we have to accept this thing. Otherwise it is difficult to obtain that recognition of the claims of India which we have been told for nearly eighty years she is entitled to have. Lord Lytton himself, in the quotation I have given, stated that the examination in England and the lowering of the age had practically the effect of stultifying the law.

37323. I am not dealing with that question. What we want to do is to get the most practical scheme for giving effect to what you in India call the Statute of 1833 and the Queen's Proclamation of 1858. I am suggesting to you that this scheme of yours is not really a practical one. The specific question I am asking you now is this. With all your experience of public opinion out here, and your knowledge of the Congress and so on, do you not think that if these ten successful Indians were brushed aside in favour of ten unsuccessful Englishmen under your scheme, your Congress out here would immediately create an agitation, and a legitimate agitation, for the abolition of such a system?—As I have said, if it is the only condition upon which we can obtain a fair recognition of our rights, then we would honourably stick to the compromise. It is as a compromise that I have put this thing forward, and I would honourably stick to it. We would say: "We have agreed to take only one-third out of the places open to competition, and therefore we must abide by it."

37324. But do you not think that if that condition were laid down there might be some other system of recruitment which would be less open to the objections which I have suggested than the scheme propounded by you?—I cannot give an opinion upon that until I know what that other scheme is.

37325. I notice in your Presidential Address to Congress you say, as far as you Indians were concerned your case was simple, "equal laws for all, equality of opportunities for all, and favour to none will always be our platform." It seems to me that under your scheme you would be showing a good deal of favour to the ten unsuccessful Europeans; and if you held the views which you expressed when you were addressing the Congress, I am afraid you would soon ask for the revocation of such a system?—Have I not stated at the end of my reply to question (6) that I accept it as a matter of compromise? It is to allay the apprehensions of those who think the Service will be swamped by Indians. I say in that case, let us have this much, and we will abide by it.

37326. I am not clear about the proposal for the revival of the Statutory system. I understand that in addition to a system of simultaneous examinations you would like to set aside one-sixth of the superior posts at present filled by members of the Indian Civil Service for a new Service of Statutory Civilians?—It is not exactly like that. Out of these, 103 are even now listed as open to the members of the Provincial Civil Service. I wish that that number should be raised to one-sixth, which was intended to be worked up to during the course of an official generation. That was laid down by the Rules of 1879—that during a period of one official generation, twenty years, the number should be one-sixth of the scheduled appointments. There are only, now, 103 posts open to the Provincial Civil Service. I say according to the spirit and intention of the Statute, and rules thereunder, one-sixth should be open for an appointment in India, and out of them, a certain proportion, I say, should be appointed by competitive examination, and the others be given as prize appointments to members of the Provincial Civil Service.

37327. Is this system of recruitment to this Statutory Civil Service to be in addition to the system of simultaneous examination?—Yes, it will be.

37328. If you have a simultaneous examination, on what ground do you also wish to have a separate Statutory Civil Service?—The Statute was passed in 1870 with full knowledge of what had gone before. There was the Act of 1861 which laid down that all posts for the Civil Service (they are all given in the schedule) shall be filled only by a competitive Civil Service examination under the rules to be framed. They could not say that those rules might not be altered. It was quite possible that the rules might be altered by Government; and with full knowledge of that Parliament still passed the Act of 1870, in order that there might be appointments of Indians of proved merit and ability in India itself.

37329. Was not that with the knowledge that there was no system of simultaneous examination in contemplation at that time? Let me put my point quite clearly. I understand your great demand is for equality?—Yes.

37330. You want a fair field for everybody. You do not want any special door of entrance into any of these higher Services. That being so, the question I ask is this. Why, if you have a system of simultaneous examination, which gives you your system of equality, as you call it, do you want to have, in addition to that, a Statutory Service recruited in India?—Because I have made a concession in this matter of compromise by saying that only one-third of the places recruited in any one year shall be open to Indians. In view of that I am not willing that the power given to the Government of India, the rights which the Indians acquired under the Statute of 1870, should be taken away.

37331. Then the Statutory Service is to be a make-weight against the limitation of the number of Indians who may get in?—I say 50 per cent. of the scheduled appointments would be held by Europeans, and that 50 per cent would be for

Indians. I mean to say that there is to be a real partnership between the two. I may mention one thing. My term "Indians" includes the Statutory Natives of India, the members of the domiciled community, and Europeans resident in India.

37332. (*Sir Theodore Morison.*) Would you, as President of the Congress, tell me what would be the opinion of the Congress generally upon this proposal which you have adopted as a compromise if you introduced a limitation on the number of Indians? Would they consider it a violation of the Charter and the Act of 1833?—As a matter of compromise I believe the majority of them would accept it if the scheme was adopted.

37333. You would have, would you not, to revoke, or modify, that Act of Parliament?—I do not suppose that there is any modification of the Act necessary for that.

37334. Does it not impose a limitation upon persons of a particular race, creed or colour?—That is only done by regulation under the Act. We are not prohibited. There is no bar imposed upon us with regard to the appointment of any particular post. The Act of 1833 only laid down the eligibility of Indians to all appointments.

37335. I am only talking about the Act of 1833, because that point was impressed upon us by some gentlemen who also held prominent positions in the Congress. I want to know whether the Congress opinion on this matter is uniform. Some people said that it would be a violation of the Act of 1833 to impose any limitation?—If it is said that Indians are not eligible for these appointments, then it would be a violation.

37336. I only want the opinion of the Congress; not the interpretation of the Act. I want to know how you think the party would take such a thing?—The opinions I have just expressed were also discussed with persons belonging to the Congress, and the gentlemen with whom I have discussed this all agreed with me. Of course I cannot speak for the whole country. I had not time to take their views.

37337. I understand you propose simultaneous examinations upon the ground that the time has long come when Indians should be more associated in the higher work of the Administration than at present. That is your fundamental principle, is it not?—Yes.

37338. After your answers to Lord Ronaldshay, does that seem to you the most satisfactory way of obtaining that end? You recognised, in speaking to him, that in some exceptional years some Indians who have passed high might be prevented from entering the Service; while in other years it will happen that a small number of Indians, less than 20, are successful. So that in certain years when Indians are very successful they would be swept out and there would be no compensation in other years. It would be, heads I win, tails you lose?—Yes, it would be like that.

37339. Supposing this percentage you have suggested were accepted for the separate examination, you would have a level number recruited every year, would you not?—Yes.

37340. You say: "The time has come when Indians should be more associated in the higher work of administration." If that is the basal principle with you, it seems to me that it is more effectively secured by a separate examination than by a nominal simultaneous examination?—It might be considered as an inferior Service, it might be considered as an inferior examination, and it would be said that as Indians were recruited by the separate examination they should not be eligible for these higher appointments. It is that which has to be avoided.

37341. But do you not say somewhere later in your answers that you would hope the Statutory Civilians would be treated as brothers and become members of the Service?—Yes; it was a hope.

37342. But it is a hope which you still entertain I understand?—At present it is not.

37343. But you make proposals which are based upon that hope?—Yes.

37344. Surely they come in by a very different door, do they not?—And therefore their pay is lower. They would be getting only three-fourths under my scheme.

37345. Do you hope for equality in the case of persons who come in by a different system and get lower pay? Surely it is conceivable that if persons come in by examination they should receive the same pay?—With regard to Statutory Civilians, I believe they are practically told that they are not fit for the office of a Commissioner.

37346. I have a difficulty with regard to your proposal on the educational side. It seems to me that the English and Indian systems of education are fundamentally different, especially on the Arts side. How do you propose to get one examination which would equally reflect both systems unless you have a large series of options? Would you have options?—The option of the present choice of subjects appears to me to be quite suitable.

37347. But that is, as you know, based upon the English system of education. We have had a good deal of evidence already to show that it is unfair to the Indian system of education, and we have been urged to recommend changes which would make it fairer and more representative of the Indian system of education, such as the introduction of Persian, with higher marks for Arabic and Sanskrit, and the introduction of Indian History. Do you approve of those?—I have already referred to Arabic and Sanskrit. Both of them are very difficult languages, and they can well be compared with Greek and Latin. With regard to them you would find the same high standard of intellectual attainment is necessary for a mastery of them. I cannot speak about Persian, because I have heard different opinions about Persian, and I am no Persisn scholar myself. What I would say is that we should have an examination in which the intellectual calibre of a person, and also his grasp of different subjects, should be tested.

37348. I understood you to say to the Chairman that you accepted the Macaulay principle?—Yes.

37349. You do not require special preparation for it. You take the existing educational system of the country, and you take its best

products?—I do not know that our University system is so entirely different from the English system. I am a product of our Universities, and I believe we are only trying to walk in the footsteps of our leaders and our guides. I was brought up under English Professors who gave us the best education that could be had in those times. I had the good fortune of being under very exceptionally good men, Professor Wordsworth, and those people.

37350. I am not only the product of the English system, but I have taken part in the Indian system for some time. Surely the basis of education given here is English, is it not, English Literature?—Yes.

37351. That is not taught in England. We have an educational system, but English does not figure in the English educational system, except in a very small number of exceptional cases?—I have seen the curriculum, and I have seen Shakespeare and Chaucer and Spenser put in the curriculum of the examination. I can only speak with the knowledge I have got.

37352. Every variety of education may be found in England; but in my own case (and it is the same in the great majority of cases) I do not think I ever had in the whole of my school or University career any teaching in any English subject, or on any book of English Literature: I may have had to do something as a holiday task, but not always?—The beginning must have been in English. You must have been taught to write English; you may have had to read some English books; and afterwards those who go in for English Literature must have had to study all the different English classics.

37353. English Literature is my point. English Literature is a very important subject of education here, and it is hardly represented at all in the English educational system. The teaching of the Mother Tongue, as it is called in Germany, does not exist in England, or to only a very small extent?—I have seen the curriculum of the examination; and English Literature from the time of Chaucer to Shakespeare figures in the examinations. Even for the Civil Service it is prescribed, is it not?

37354. You may take it, as a matter of fact, that it holds a small part in English education, that it constitutes a small part of the Arts side. Are you prepared to alter the Indian educational system, or would you not do better to have an examination which was a reflection of the education which is given in the Indian colleges and the Indian Universities?—I am a great believer in Western culture.

37355. As it is given at the present moment in the College, for instance, which you attended?—More of it even, if possible. I would not in any way lessen the amount of knowledge which is required of English Literature and English History. I am confining myself to Literature.

37356. My point is that that is a particular characteristic of Indian Universities and not of the English Universities. It sounds a paradox, but it is a fact. In answer to question (33) you say you are against a separate institution on the ground of expense?—That is a college in India after they come out to India?

37357. A separate institution in England?—I would prefer their being asked to attend one of the older Universities, either Oxford or Cambridge.

37358. Would you give them allowances during the time they are at the Universities?—They do get £150 a year.

37359. Some people have asked that it should be raised to £200?—That is a matter of detail.

37360. You would continue that?—Yes, I would continue that.

37361. For what length of time?—I have laid down a minimum period. I think two years ought to suffice.

37362. Two years at £200 for fifty people would mean £20,000?—It is the same thing at present.

37363. Do you not think, on account of public expenditure, that it is rather a large sum to spend upon their general education?—First of all this is what has to be done at present. I do not think there is any special expenditure involved therein; no new expenditure. At present after the preliminary examination all probationers get £150 a year.

37364. But that is to train them for their profession, and not to give them general education?—Formerly the period was two years; now it is only one year. There was a time, not so very long ago, when it was two years.

37365. The point I want to get from you is whether you think this large expenditure of public money is justifiable for completing their general education, or whether it is only justifiable when it is part of their professional training?—It would be only with regard to that. Residence at a University would be rendered necessary only in the case of those who passed the examination in India. I might say that the number, roughly speaking, would be about fifteen.

37366. You are only speaking of those?—Yes.

37367. (*Mr. Madge.*) You are prepared to tolerate the present competitive system, because, although not ideal, it does serve some purpose?—Yes.

37368. Does it serve the purpose of testing character?—Yes, undoubtedly it does.

37369. You have come to the conclusion that there is a large number of incompetents who invariably get in under a system of nomination, and you nevertheless are willing to tolerate nomination in some corners because you think that British reform generally goes by compromise, and is often illogical. Personally, I do not know of any such compromise that is illogical; but you are prepared to go beyond the border of what is illogical into what is actually immoral?—You must take my evidence as a whole. After all, what scope is left there for nomination? And even that nomination is hedged round with restrictions.

37370. I have heard the whole of your statement, and I have paid close attention to it, and it need not be repeated. I can understand your position. I ask you whether you are prepared to accept a compromise even though it is considered immoral?—I do not admit that premise.

37371. You do not admit it is immoral to set aside men who have passed above others and

accept them as inferiors on certain grounds? —It is not immoral. There is no question of morality here. I do not admit your premise. That is what I said. My scheme does not involve any such departure from morality as your question presupposes.

37372. That is your opinion? Very well. I agree with you that the middle classes of any country are the foundation of it practically. Do you think that the young men who go up for Matriculation in the hope of going on further belong generally to the middle classes?—The majority of them do.

37373. A fair representation of the middle classes?—Yes.

37374. Have you heard of the case some eight or nine years ago (I can give you the exact date if necessary) when the vast majority of the Entrance Examination candidates failed, and a petition was sent up to the University to make some allowance for those who had failed, not on the ground that the standard was too high, but because of the disappointment of those who failed? Have you heard of that?—No. If it was so I would not have any sympathy with that kind of thing.

37375. Nevertheless it represents the mental attitude of a very large class?—You cannot help those who would always like to have crutches. I am no believer in them.

37376. You refer to Proclamations and other public declarations in which it was declared that a man's race should form no bar to his appointment to any office, and you appear to think from your answers that this word of promise was kept to the ear, but broken to the hope?—That is what Lord Lytton says.

37377. I want to know what you think?—I also think so.

37378. Do you think that the removal of the racial bar in that case meant that any man of any race was entitled to any position no matter what his qualifications were?—I never said that.

37379. You do not think that?—I say that provided he is fit his race ought not to come in his way.

37380. Then you must take the ground that those who think that they and others have been disappointed in not getting particular offices have done so because these proclamations and declarations have been deliberately set aside by some authority?—Yes, they have been.

37381. You think so?—Yes.

37382. Deliberately with *malice prepense*?—That is what the Governor-General said. Immediately the Act was passed the Government set about to render it nugative. That is what Lord Lytton says.

37383. What one man has said is not binding upon all sober-minded statesmen. I do not think the majority of English statesmen think so?—That was also stated in the debate as given in Hansard in 1853.

37384. Amongst the reasons which Government give as quoted by you in answer to question (6) for not having simultaneous examination is that "probation by actual employment forms a competitive examination of the best kind." You do not agree with the Government?—No. It has been found not to be so.

37385. And yet many responsible higher officials have thought seriously of promoting men from the Provincial Civil Service to higher appointments on the specific ground that this kind of competitive examination has proved very successful?—Both can be true. What the Government has done is right in the case of those tried men of the Provincial Civil Service; and the unfortunate selections made of young men from high families who were not fit for those posts, and who afterwards had to be asked to resign, or whose services were dispensed with, exemplify the wrong use of nomination.

37386. I am not taking the case of incompetents. I am taking the fact that the probation by actual employment forms a competitive examination of the best kind in the opinion of the Government; and you do not agree with that at all? —That is not the sole test.

37387. I did not say it was the sole test; but until a better is found it may be a good practical one?—We have to see about the first appointments. How are you to make first appointments? What is the method which should guide Government in making first appointments? Promotion of those already in the Service, that may be all right; but how are first appointments to be made unless by finding out qualifications? What other method is there for finding out qualifications?

37388. In answer to question (3) you refer to brilliant youths being kept out of the Service. I have asked many witnesses if they could devise any system but the existing ones for capturing early in life really brilliant Indians. I quite agree with you that there have been many such. You have named such, and I have had them all in mind in asking this very question. Can you think of any system for capturing for the service of Government early in life a class of men who subsequently prove their brilliance, but unfortunately do not show it early in life? Can you think out any system by which we can get hold of them?—After all, this appears to me to be the only suitable method; competitive examination of some kind or another of high standard is all that is open to us.

37389. Simultaneous examination in India you mean?—I am speaking, first of all, of the competitive test.

37390. Because that has existed and as yet has not captured these men. They have not been poor men, and have had sufficient means to go to England?—A man might have the means of going, but he might not have the inclination to study. That is the unfortunate result of possessing too much money.

37391. How would you propose to affect the inclinations of these brilliant men?—They belong to classes who have to work with their hands and with their brains.

37392. With reference to the tone of the Government, you have said that it is not the English tone, but the European tone which is wanted. I have asked many witnesses, without making any offensive comparison between races, whether the English race, as judged by the Political

History of their Colonies and Settlements, has not shown certain practical qualities, which, compared with Frenchmen, Dutchmen, Italians and others, show them better colonists and better administrators than other European races. Do you agree with that?—I do agree with it. But I point out that what the Government requires is, not the presence of Britishers, but the presence of Europeans. I said that that is rather inconsistent. They would tolerate Frenchmen, and Dutchmen, and they would also tolerate Afrikanders. It is not the presence of Englishmen that they insist upon. That appears to be the weakness in the Government case.

37393. You have not understood my question. It is on behalf of the British race that I claim certain qualities that no other European country possesses?—I agree with you there. The British race possesses qualifications which hardly any other European race possesses. I do agree with you there.

37394. And yet you think that nationality is of no consequence at all in the matter of Government?—Government itself does not insist upon the presence only of Englishmen or Britishers.

37395. Do you think that Government lays its competitive examination open to all European countries?—What do they ask? Government do not say that the admission should only be confined to members of the British Isles. The condition they lay down is that a man must belong to one of the European races. That appears to me to be not consistent with the argument about the high character which Britishers possess. Because a person is of European extraction it does not follow that he possesses the qualities of the British race.

37396. You do not think it is generally taken that the word "European" was meant in contrast with "Asiatic"?—That it was not restricted to Britishers.

37397. You do not think it is not intended to be so restricted?—No.

37398. At any rate, this opinion of yours is not held by most people. Most people do believe that the competitive system was intended for Englishmen originally, and afterwards applied to Indians. In spite of this crowd of witnesses your mental attitude towards them, no matter what they think, is the attitude of the Fitz-James:

> "Come one, come all! this rock shall fly
> From its firm base as soon as I."

You stick to that opinion, no matter what others think?—Yes. Whatever you might think.

37399. As regards the Statutory Service, do you think that the system was radically bad, or that the selections of it were unfortunate?—The selections were unfortunate. If there are no educational guarantees imposed by the rules the result was one which might be predicted. It was, in fact, predicted by the Indian papers, that the result would be that the selections would be bad, and then the whole character of Indians would be affected thereby.

37400. But we have heard of cases in which the selections were very fortunate?—Yes; but you have to see, also, how many proved unfortunate.

37401. You do not think that that might have been owing to the mistake of the selections, and not to the system itself?—No, though some were excellent selections.

37402. If you do not think that it matters much what the nationality of the official is in India, why do you say in answer to question (19): "I do think it necessary that half the posts reserved for the Covenanted Civil Service should be held by European British subjects"?—For the reasons given above. Because it would be considered desirable to remove all apprehensions of the British tone of the administration being affected. I have agreed to this compromise. Therefore, I say, we must have them.

37403. (*Mr. Fisher.*) Lord Ronaldshay has put before us a practical objection to the working of simultaneous examination, and I think from your answers that you realise that there was this practical difficulty in the way. I should like to ask you to consider for a moment a possible alternative which might get rid of that practical difficulty. Let us suppose that you had in India a supplementary examination conducted by the Civil Service Commissioners in London, the papers set in London, examined in London, and adjusted to the conditions of the education in India, the standard to be as high as the standard of the examination in England, but the successful competitors to be published in a separate list. Would you approve of any such scheme as that?—I would first of all object to "adjust it to the conditions of India." It is a thing I would greatly deprecate for the reason that we wish to be judged and tried by the same standard which is laid down for Englishmen, no lower standard, no favour at all; but the same high standard.

37404. I was assuming that the standard would be equally high, but that the number of subjects would be adjusted to Indian conditions. There would be, for instance, a stiff examination in all the subjects which were mainly taught in the Indian colleges, and, as I say, the examination would be conducted by the Civil Service Commissioners in England. Such a scheme as that, of course, would get rid of the particular difficulty to which Lord Ronaldshay and Sir Theodore Morison adverted, and which you fully recognise?—Yes.

37405. But I should like to know whether such a scheme as that would be acceptable?—That would depend upon two things. First of all, the proportion for which the Indian examination will be held would have to be a substantial one, not less than 33 per cent. which I have mentioned. That is one thing. Secondly, the pay, the rank, the prospects of promotion, leave allowances, pensions, and so on, and all the future scope, should be exactly on a par. If it is said that the persons who are selected in India will occupy the same position as those who are recruited in England, then, in the absence of the simultaneous examination system I would accept it, with this further rider, that those who are selected in India are sent for at least two years to reside at an English University.

37406. There is another point about which I should like your opinion. You have stated in your evidence that you are very much impressed with the high type of the administrator who is secured for India under the present system?—Yes.

37407. But that you find (I am giving my own words) that while he stands very high in character and general attainments he falls short in certain special branches of knowledge, in particular, in his knowledge of the vernacular and in his knowledge of law?—Yes.

37408. This view which you have put before us has also been put before us by several distinguished witnesses from the English side; and it has been suggested to us from more than one quarter that one of the best means of remedying it would be to put the competitive examination back to the school-leaving age, and then to pass the successful competitors through a somewhat elaborate special course at the Universities, occupying two, or, perhaps, three years, in which law and the vernacular might be thoroughly studied. If that scheme were carried out, and if the English boys were examined at nineteen, would you still be in favour of a scheme of simultaneous examination?—I mean to say that the lowering of the age would prove very injurious to Indians. It would mean, practically, the shutting out of Indians far more effectively than at present. If the age-limit is lowered, it would be reduced to the condition of which Lord Lytton wrote in 1878.

37409. My question is this. If this recommendation were accepted would you still advocate the scheme of simultaneous examination?—Simultaneous examination is for obtaining entry for Indians into the Civil Service. I wish to know what is to be done about Indians.

37410. Exactly. In other words, you only advocate simultaneous examinations in order to secure a larger employment of Indians in the higher service?—Yes.

37411. And if the age-limit were put back to a time of life in which simultaneous examination did not effect that object, you would abandon simultaneous examination, and look about for some other means of satisfying your general object?—Our objection to the lowering of age is from the English administrator's point of view, and also from the Indian administrator's point of view.

37412. I will come to that afterwards. Assuming that this course to which you object is recommended, in what way would you advise us to compensate the Indians for the undoubted further disabilities which would be imposed?—In that case I would say that the standard of age for Indians should be different. If you want to catch the English boy at the age of nineteen, you would be only catching schoolboys. You want, however, to recruit very young men. I believe the age of nineteen was found unsuitable, and it was on that account that the Commission of 1886 recommended that the age-limit should be raised to the present age-limit. We are actually asked to go back upon this thing. This lowering of the age-limit is not a desirable thing.

37413. I wish to get your views upon that at a later stage. What I want to ask you is what would be the best course for compensating the Indian for the disability?—In that case I would have the present age-limit maintained for Indians.

37414. You would send them in for the Home Civil Service examination?—And also for the simultaneous examination. I presume that the lowering of the age of English boys would not in any way affect the holding of an examination simultaneously in India.

37415. It would not make simultaneous examination impossible, but I should have thought it would have made it inadvisable from your point of view, because I understand that an Indian boy competing against an English boy at the age of nineteen would have very little chance of success?—I said we must therefore have a maintenance of the present age-limit so far as Indians are concerned, and also the simultaneous examination.

37416. Do you mean to suggest that young Indians of twenty-four should compete in a schoolboys' examination with English boys of nineteen?—I said it is undesirable even from the Englishman's point of view. It is undesirable to have the Service constituted for the educational attainments of a boy of nineteen. I began by saying that I object to the whole thing. It is undesirable in the case of English youths themselves.

37417. You realise that the object of this proposed change is that which you yourself have in view? That is to say, the object of giving the young Indian Civilian a greater knowledge of India, Indian affairs, Indian law and Indian languages before he comes out?—Yes.

37418. Assuming that the case for that change is considered strong, I would ask you what is to be done—in what way can you give a legitimate and proper effect to your desire for the greater employment of Indians?—Let me understand the matter clearly. It is for the purpose of giving a better knowledge of Indian languages that this change is advocated. My scheme contemplates a period of two years' probation; and during that period, such knowledge of law as is required by an ordinary Executive officer can be obtained very easily. I have heard from gentlemen who are now in the Indian Civil Service that, after competitive examination, the manner in which the period of probation is passed is practically that they rest on their oars; they have had to pass through a strenuous time and after that they take it very easily for the final examination. I have no personal experience of it. That is what I have heard from gentlemen, who have passed the examination. As regards the period of probation, I have sketched out the way in which that period is to be spent. Such knowledge of general law as is required by an Executive officer, and such knowledge of Indian languages imparted in a school with good teachers, as is desirable for an officer to have, whether that could not be secured even before they come to India is the point. For that purpose no lowering of the age is at all necessary.

37419. (*Mr. Sly.*) In connection with the recommendation that you make for simultaneous examinations, I should like you to explain to us clearly what are the disabilities under which Indians labour at the present time, From your evidence I find that the one which you place in the fore-front is the question of expense?—Yes.

37420. So far as the question of the expense is concerned, does it resolve itself down to a second-class passage to England *plus* about a month's residence in England?—No; I do not think so. The candidate should acquire the higher knowledge that is required for the higher examination

and it is found that that knowledge can best be derived in institutions in England.

37421. If simultaneous examinations are granted, it would not affect that question?—In that case, it would not. I thought that you asked me about one of the reasons for my insisting upon simultaneous examinations, and why it was necessary to keep the boy for at least a period of two years in England.

37422. If the simultaneous examinations are conceded, that necessity will still remain, unless you have institutions in India capable of teaching up to that standard?—Such institutions are bound to spring up. First of all, the standard of the Universities would be raised. There would be none who would work more for that than the Indian members of the senate; for the raising of the standard of the Universities, and also for obtaining a higher sort or a better class of professors. Further educational institutions where the system of giving the necessary high instruction will be adopted will spring up, in a place like Calcutta or Bombay; and keeping a boy at one of these institutions will not involve such a great pecuniary sacrifice as is involved in keeping him in England.

37423. You believe that the grant of simultaneous examinations will have a substantial effect upon the standard of education in India?—Yes; it will have.

37424. You do not agree with several of the witnesses, educational witnesses, who have come before us and told us that the grant of simultaneous examinations would have a deleterious effect upon the progress or character of Indian education?—With the greatest respect for them, I cannot agree with them.

37425. You contemplate that it may lead to the establishment of special institutions in India, giving specialised training for these examinations?—Yes. What I mean is this. For instance, let us take the case of science. In regard to science the kind of instruction that is given at present is not of a very high character, both in regard to theory and in regard to practice. What would happen would probably be that some of our science colleges would themselves raise their standard; they would get better professors and they would insist upon greater time being spent by the students in the laboratory. It is also possible that special institutions might come into existence. People might give it the name of the cramming system. There is cramming which is undesirable and there is also what is called cramming, but which is very necessary for everybody who does not wish to be a mere smatterer in any subject. It is in those kinds of establishments that students are really taught and real education is given. Those kinds of establishments are sure to spring up. That is what I anticipate.

37426. After they pass the simultaneous examination, you propose that they should go to England for two years?—Yes.

37427. Do you really believe that two years' residence in England by an Indian student after he has passed his open competitive examination, when a great deal of his incentive to further study is removed from him, would really give him British character and Western forms of learning, of which you yourself have been such a strong advocate?—That is what I think. But that would depend upon the nature of the final examination. If the final examination is a mere nominal examination, as I am told at present it is, he would only be spending his time in taking rest as most of them, as I am told, do at present; but if it is a real examination and his position depends upon the adding of the marks of the two examinations, then he would be spending his time usefully. You have, as I said, to put him in one of the Universities, and one of the conditions would be that he spends his time in that University to some useful purpose.

37428. But still you think two years would suffice?—Two years would certainly give him far greater insight into English social life, political life and all the environments under which Englishmen are brought up than a mere residence in India itself.

37429. Then again you refer to the point on page 249, in reply to question (6) of your evidence about the European being what is required and not the Britisher. Surely the regulations for the examination contain a provision specifically that the candidate must be a natural-born subject of His Majesty?—Yes. I do not suppose that an Afrikander has the British tone in him. I am sorry to say that, but I am obliged to be specific.

37430. You refer in your answer to the entry of Frenchmen, Germans, and Dutch?—Are not most of the Afrikanders of Dutch extraction?

37431. Residents of South Africa you mean?—Yes.

37432. You refer to Colonies?—It would also mean persons of French extraction—who might go and reside and become naturalised subjects of French extraction. Would they have British traditions?

37433. They would be natural-born?—The sons would be natural-born, but not parents.

37434. They would have more than the two years' stay which is all that is proposed for the Indians?—But they would not have the Englishman's history and traditions behind them.

37435. In reply to question (21) you have given some statistics which I cannot quite follow and which I should like you to explain to us. There you refer to the fact that 103 posts have been listed out of 1,444. I cannot make out where you obtained those figures?—I shall give you the authority. If you turn to the *Central Provinces Gazette*, dated the 11th January 1913, page 109, you will find that the actual strength of the Indian Civil Service cadre comes to 1,386—that is the total number at present employed in the Indian Civil Service. Then there are 56 men of the Provincial Service, who have to be included. That gives you a total of 1,444, including Military Civilians.

37436. Yes, but in making the comparison you simply compare in the one case the number of posts and in the other the total number of civilians?—There is only one decimal something of military officers, as against 54 civilians.

37437. One hundred and three is only the number of posts?—Yes, listed as open to members of the Provincial Civil Service.

37438. The number of posts in the Indian Civil Service is very short of the total number of officers. The comparison is vitiated by the fact that you have taken two different items?—No, excuse me. The total number of places open to *the Indian Civil Service are 1,300 and odd.*

37439. The total number of posts?—Yes.

37440. Excuse me; the total number of officers is about 1,300 including those in the reserve for training and for leave?—The total number of officers who have to be maintained for the Indian Civil Service—the total number of superior posts, excluding the posts open to the Provincial Service men is 664. That is the superior service, with salaries above Rs. 1,000.

37441. Then your comparison is not with 1,444 but with 664?—My comparison of 1,444 is with 103 which includes all posts and not superior ones only. As to superior posts there are only 56 posts available for the men of Provincial Service—listed and possible posts.

37442. As a matter of fact, there are 959 posts in the Indian Civil Service and not 1,400?—What is actually is considered, and it is this. I mean to say that you have to keep so many persons in the Service.

37443. You neglected to take into consideration on the one side the officers employed on leave and training, whereas you have taken them into account in the other?—These are the only places available to Provincial and Statutory Services. I am showing that there are only 103 posts open; there are not 103 appointed as a matter of fact.

37444. As compared with 959 in the Indian Civil Service?—As a matter of fact, it is necessary for you to keep 276 more for leave reserve. There are many more persons actually employed than 959. As I have said my number is 1,341 which includes this number of reserves.

37445. For 103 posts you have to keep a number for leave, training and reserve, which is the same?—They are never 103, and no reserves.

37446. Haven't you neglected to consider that the Public Service Commission excluded Burma altogether from their calculation?—At that time the Public Service Commission recommended 108, I think, and their recommendations were cut down by the Government of India to, I believe, 98.

37447. Ninety-three?—Yes. And the Secretary of State still further cut it down. So later on some additions were made on account of Burma and some were added for the Government of India appointments.

37448. As to the one-sixth that was recommended, the Public Service Commission excluded Burma?—At that time Burma was not made a part of the Indian Empire.

37449. Did it not also exclude posts under the Government of India? Is there any question of one-sixth there?—They only said that they recommended that only certain posts should be available for men of the Provincial Service.

37450. The point that I wish to suggest is that the one-sixth you refer to is not one-sixth of the whole of the posts as you suggest, but there are certain deductions which have to be made before you make the calculation?—That rather emphasises my point, if I have understood your question rightly. Under the Statutory rules, one-sixth should have been given.

37451. We are not discussing the Statutory rules, but we are discussing the recommendations of the Public Service Commission?—You are referring to a certain portion of my evidence and in regard to that portion I wish to point out that, whereas under the Statutory rules, we were entitled to have one-sixth proportion of places, to be given to Indians, as a matter of fact, the result of the Public Service Commission's report was that only 103 posts are to-day left open for the Indians; whereas even if you take the number of 900 and odd, the proportion works out to something like 160 roughly speaking.

37452. I only wanted to get correct statistics from you. Let us refer to another point. You propose a revival of the Statutory service,—that one-sixth should be reserved for that service of which you have suggested that three-fourths should be filled by competition and one-fourth by nomination?—Yes.

37453. At the same time you bring into that service certain officers promoted from the Provincial Service under what is termed the system of listed posts?—Yes.

37454. You propose that two-thirds of the higher posts should be filled up by the Statutory service of which three-fourths will have to be filled by competition and one-fourth by nomination and also you will have one-third to be filled from the Provincial Service?—Yes.

37455. One-third of one-sixth comes to one-eighteenth?—Yes, one-eighteenth.

37456. One-eighteenth of the present number of posts is substantially less than what the Provincial Civil Service has got at the present time?—If I have understood the figures given by the Government of India correctly, it would be one-eighteenth of 720. The total of superior posts is 664 *plus* 56, *i.e.*, 720.

37457. You are dealing with the whole of India?—I am thinking of the superior posts, one-sixth of which should be reserved for the Statutory Service. The number is 664 and you must include the number 56. That gives you 720; and the total number of superior posts above Rs. 1,000 is 720.

37458. You wish to list the "inferior" as superior?—The number of posts in Presidencies and Provinces on a salary of above Rs. 1,000 a month is 662. Deduct from that the number of posts open to the Provincial Service, namely, 56, and add to it the number of posts under the Government of India and you get 664. Add again 56 and you get 720. That is, the total number of places in the Indian Civil Service cadre above Rs. 1,000 is 720. Out of that one-sixth ought to be given to the Statutory Service, that is to say for appointment in India. That number is 120.

37459. Your scheme gives seven listed posts for the whole of India?—No. How did you make 120.

37460. I did not calculate, but you made it 120?—My calculation is not wrong. Out of 120, two-thirds is reserved for the members recruited for the Statutory Service proper. That is, one-third

or forty is what is open to the members of the Provincial Service.

37461. What is the number of posts listed at present?—56 for the Statutory and Provincial Services combined.

37462. 93 are actually listed?—I am going only by the Gazette. It is 56.

37463. Listed posts?—Superior posts.

37464. According to that standard it reduces the number of superior posts from 56 to 40?—You omit this thing from your consideration. There are other 80 posts, all of which are open to Indians and are now available for appointment in India. The whole thing has to be taken into consideration. At present they are not given to them. And again other persons who do not belong to the Provincial Service are taken. That has to be taken into consideration. There are also the Statutory Civil Service men. On the whole, the Provincial Service people would be distinctly benefited under the new arrangement.

37465. You think they will be benefited?—Yes.

37466. (*Mr. Macdonald.*) I would like to ask you a question or two. In your answer to question (4) with regard to the combination of the open competitive examination for the Home and the Indian Civil Services, you have given three reasons why the combination should continue. The first is that it secures a high standard examination. Do you remember when the examinations were separate—when the Home Service had one set of papers and the Indian Civil Service had another set of papers?—I did not study that.

37467. I was going to ask you, if you have, whether you were under the impression that the Indian Civil Service Examination was substantially lower than the Home Civil Service Examination?—As I have told you, I have not looked into the question.

37468. Supposing you separate them, what makes you come to the conclusion that the Home Civil Service would have a higher standard of education than the Indian Civil Service?—Because Englishmen would like to keep officers as efficient as possible.

37469. Have not we got the same object here to keep our officers as efficient as possible in India?—You would be having better guarantees of efficiency there.

37470. As a matter of fact, when there were separate examinations, was it not the reputation of the Indian Civil Service Examination that it was the stiffest examination that was set to get into public services?—What I heard was that both the examinations were very stiff. I have told you that I have not looked into the matter.

37471. Then you say "it minimises the chances of capricious or one-sided regulations inspired by powerful class interests." You know the Statute of 1858?—Yes.

37472. Under that Statute the Secretary of State must co-operate with the Civil Service Commissioners in setting these papers?—Yes.

37473. Do you think that you run any risk?—I eliminate all chances of risk. That is the reason why I stick to present arrangements.

37474. The Statute of 1858 eliminated all chances of risk?—There have been regulations which have not met with public approval.

37475. Under the Statute of 1858?—One of the rules was about the age. Suppose any powerful agitation is raised, when it is confined only to India. I wanted to eliminate all that chance.

37476. Would that make any difference so far as the Home Civil Service is concerned? Are not the same class interests that you have in mind as conspiring to take hold of the Government of India—would not the same class interests conspire to take hold of the Government at Home?—I do not know. There are greater safeties there. What we want is that we should be put in the same boat as the English administration.

37477. The bigger the plum, the greater the temptation?—On the contrary there is less risk.

37478. You say that "it provides in the Indian Civil Service Commissioners an independent agency which by its position has to treat all questions as they would affect all the three services." In view of the opinion that you have expressed in (*a*), (*b*) and (*c*), would you say that the Civil Service Commissioners are above reproach?—I cannot say. We are having as independent a body as we can. It is after all a human institution.

37479. If you believe in what you state in sub-clause (*c*) of your answer, you must modify—must you not—the fears that you have expressed in reply to the questions that I put you as regards the sub-clauses (*a*) and (*b*) of your answer?—I think all three of them go together. I do not see that there is any contradiction between the three.

37480. Suppose we divide the examinations, would not the Civil Service Commissioners still set the papers and conduct the examination?—This is not one of those matters which appear to me to be of essence.

37481. Then you do not lay any stress upon that answer?—It is a matter in regard to which you can frame regulations.

37482. I wanted to know whether you held any strong opinion as a representative Indian; if not, we will go to other points. You hold also fundamentally this objection that a separate recruitment for the Indian Civil Service will never do as it will enable anybody to criticise a certain section of the Indian Civil Service as having come through an inferior door?—Yes.

37483. Your proposal is for the revival of the Statutory Civil Service?—Yes.

37484. Do you not lay yourself open to exactly the same objection in regard to your Statutory Service?—Really speaking, what it means is this. Only a certain number of posts are made available for competition, but other posts are reserved for being filled in another manner, and the remuneration for the persons who get in thereby is lower.

37485. Does not that mean you have a grade stamped right away as an inferior grade by its lower remuneration?—That is one of the conditions under which we have to work

37486. Does not this proposal which you put forward with a good deal of unwillingness but as a compromise—does it not really make things worse ?—No ; at present comparing the few places we have it comes hardly to 5 per cent.

37487. From the point of view of places, I see your point. But I am not thinking of the number of places. I would like to get at your point. The complaint, as I understand it, is that there is some idea of inferior places inside the Indian Civil Service ?—Yes.

37488. That is a fundamental position that is taken up ?—Yes.

37489. Does not this suggestion or proposal of yours involve the same sort of thing that you blame the English Government for. If instead of 6 we give you 9, we will stamp the inferiority on the 9 far more deeply than we have stamped it on the 6 ?—Not 9 ?

37490. Well, no matter; take X and Y—not the exact numbers ?—It is only one-sixth. What it means is that one-sixth of the Civil Service is allowed to be recruited in India itself.

37491. Would you mind just gripping the principle. We have had a cry or a charge that X places in the Indian Civil Service are inferior; but as a compromise you ask us to give you Y places—Y being the greater mathematically. But you will stamp the Y places with a deeper stamp of inferiority than the X places. Is not that exactly the evil that you throw in the teeth of our English Government ?—As I have said, we have to approach these questions from a practical point of view. What is it that has to be done ? First of all, we want that the Indians should be associated to a larger extent in the higher administrative work of the Government than at present. First of all you say that in regard to certain matters it is nothing but British tone that is necessary. We say, very well, let us have the minimum of British tone and a minimum number of Indians who ought to have that tone. That would not certainly satisfy all that the people naturally desire. We say there are people who cannot for various reasons go to England and reach the highest standard that you want.

37492. But you are not meeting my difficulty. You make a proposition, and let us assume that the Commission and yourself agree as to the difficulty that exists. As I understand it, you have answered certain questions with the idea of getting out of that difficulty and you make certain charges against the Government ?—I do not make ; it is the Government itself that makes the admission.

37493. I do not use the word "charge" in any offensive way. You make certain complaints —let me put it in that way—against what has been done. My point is that you are not going to get out of your difficulty, as you yourself admit in answer to earlier questions, by increasing the number of Indians in those responsible positions if you maintain their inferiority ?—No.

37494. This is what I understand to be your objection to separate examinations ?—Yes.

37495. My point is a very small one. It is that your own proposal is to increase the number of posts but to stamp them with a still deeper mark of inferiority. That is what I feel. Do you agree with me in that conclusion ?—I shall tell you the reason why this has to be done.

37496. Do you admit that this has to be done ?—Let me put it in my own way. There are members of the Provincial Service to whom it is necessary that certain higher prized appointments should be given. Their case has to be provided. There is also the case of those who, as I have said, have a right given to them by a Statute, which I for one should be very sorry to lose—that the appointments of a certain number of Indians should be made in India ; and to secure that end, certain sacrifices have to be made, and a sacrifice was even cheerfully made in 1879, when they decided to accept lower pay. That is a right which I do not wish to abandon but which I should like to keep.

37497. I do not want you to misunderstand, but you admit what I put to you as regards the suggestion you have made ?—As practical politicians we have to accept the situation.

37498. As practical politicians we must also face practical complaints and practical difficulties ? —Yes.

37499. You admit that your scheme really does maintain a certain stamp of inferiority ?—There is an amount of inequality so far as the members of the Statutory and Provincial Services are concerned.

37500. Let us take the other alternative of the separate examinations. I understand your argument to be this : even if the standard of the separate examination held in India is equal to that of the examination held in England, yet it would be said that the men who are getting in here have lower qualifications ?—I said that if there was no chance of the other, that scheme would deserve to be considered. That is the fear to be avoided and I want to have some guarantee against that.

37501. In answer to question (9), where you say you are opposed to the holding of the separate examination, you say "I hold that no ground should be given for making any insinuation in regard to Indians entering the Indian Civil Service that they obtained entry under an easier examination than the competitive examination ?" —That is what I fear. That is the reason why I am not in favour of separate examination.

37502. You fear that, even if there was no ground at all for it, that that will be made ?—Yes.

37503. Your own scheme, you admit, gives us the ground for it ?—Not in regard to those who enter by the door of the simultaneous examinations.

37504. No, but your statutory scheme which is a compromise or what you call a compromise. You admit that it actually does give the ground ?—Yes.

37505. The separate examinations, if they were equally stiff, would really not give ground ; but you are afraid that it might have a bad reputation ?—First of all unless that scheme is fully developed it is difficult to pass any opinion about it.

37506. If it is to be said that there is to be recruitment in India up to 50 per cent. of the

posts available for the Civil Service and that recruitment would be by open competitive examination held in India, though a different examination from the Indian Civil Service examination, would that be acceptable?—Might be acceptable. But till such a thing is definitely put forward, it is rather difficult for me to speak emphatically on the matter.

37507. You urge that it is very dangerous, because it is open to much risk and misconception?—Until I see the scheme it is difficult for me to give an off-hand opinion.

37508. In reply to question (7) you reject that idea?—Now that it is developed to me by two or three members of the Commission that it would be an examination of the same standard, with pay, leave and retiring rights of the same character and with the same chances of promotion as the other, that is a different thing altogether.

37509. You see that question (7) that was put to you was with reference to the probable vacancies in the Indian Civil Service cadre so that it contained by implication all the qualities which have changed your mind?—May I point out that that was also what was stated in connection with the Statutory Service. We go by past experience and we have to be careful in what we have to say.

37510. With reference to the age, there is one point. If you get the proportion fixed, does it really matter to you at what age, provided it is a tolerably convenient educational age, your Indian boys have to stand the examination?—I beg your pardon, I do not quite follow you.

37511. You object to the lowering of the age for the examination. Supposing you get your percentage of places fixed, does it really matter whether your competitors are taken at 20 or 23, provided always that, after they pass the examination, they go to England for two years' training?—You are speaking of Indians?

37512. Yes?—Provided the age is a suitable age. You must remember that they will have to study all the different sciences in a foreign language.

37513. These general things are quite before us. The point is that you have got 60 vacancies and 20 of them belong to Indians. It does not matter about the sciences and so on. If they have got the 20 places of which they are sure, the question of age becomes a minor one if it is conditioned by a certain percentage. Is that so or not?—You see we have to remember this. If the age, for instance, is too low, if the boys who go through the examination come out very bad, immediately there will be an agitation to the effect: here are Indians who are utterly unfit, and because a certain number of places have been allotted to them, inferior stuff is being recruited. We have also to guard against that. What I mean to say is this: the age question is not so unimportant as you think it is, or as your questions may lead one to think it is.

37514. If it is placed too low, it will lead to that?—Yes. Suppose it is 22 instead of 23, there would be hardly anything in it.

37515. (*Mr. Chaubal.*) I will first clear the ground as regards one question put to you by Mr. Madge. As regards the examination about which he said that complaint or petition was sent up, it must be a qualifying examination and not a competitive examination?—Qualifying examination.

37516. So far as my impression goes from anything that I have heard on the subject, it was not an examination for a higher degree like the M.A.?—From what Mr. Madge said, it was only the Matriculation Examination. I have not heard the complaint.

37517. My recollection is very vague. It was an examination of a very low order and not like the examination for the M.A.?—No.

37518. The chances of anything like that happening in connection with an examination like that of the Indian Civil Service would be almost impossible?—Yes, impossible.

37519. I wish to put you a few questions with respect to this vexed question of the simultaneous examinations, and I do so because you have been studying it very closely and I want to know your views on some aspects of it, which others as practical politicians bring forward as obstacles to your recommendation, and I do so because you may be quite prepared to meet them as a practical politician. You advocate the simultaneous examinations, I gather, not as an assertion of equal right of citizenship, but as a means of getting a larger number of Indians into the higher services?—On both grounds.

37520. The main aim is the larger employment of competent and fit Indians in the higher service?—Yes.

37521. I suppose that as a practical politician you will agree that, if that object is attained with less expenditure to the country and with less discontent in the country, then that would be a preferable mode of attaining it?—Yes, it would be.

37522. Have you calculated the cost of the simultaneous examinations to the revenues of India?—I have not calculated the cost, but I should think that, after all, it would not be a very great item.

37523. I may tell you that Professor Paranjpye worked out the figures before us when he gave his evidence in Bombay, and he gave the details. He calculated that the cost would be about £10,000 a year. That figure was brought down after cross-examination to £8,000. From the revenues of India, a sum of £8,000 to £10,000 will have to be spent for the purpose of the simultaneous examinations. Let us take that figure. Having got that, if the object is to get in a larger number of Indians, and you yourself accept, at least for the present, the limitation that it should not be more than one-third, then I want to know whether a practical politician like you who has got a fund of £10,000 would use it for the simultaneous examinations, the result of which, in the near future, under the present educational conditions, is not likely to bring in a much larger number of Indians than you get at present, or would he use it for a system of scholarships? This sum of £10,000 would enable you to start about 40 scholarships of £250 a year each. What do you consider would be the best way of utilising this sum—would you utilise it for holding the simultaneous examinations which give you the chance of many failures and a

very few people coming in and might even at some future date end in discontent—you will admit that there is bound to be some discontent if very few get in—or would you as a practical politician devote it to the object of scholarships instead of the simultaneous examinations and thus secure a larger employment of Indians in the higher service?—In regard to that it is permissible to have a difference of opinion. I have to assume that the cost of the simultaneous examination is what you say, *viz.*, £8,000. I do not know whether the examination itself cost so much.

37524. I can give you the details if you want them. We have had the calculation made by one who has gone into the thing himself. The Civil Service Commissioners have to be paid their fees and all other expenses have to be calculated?—Would the holding of the simultaneous examinations necessitate the bringing in of all the examiners in all the different subjects? I do not see the necessity for it, because most of the examination is written. In the first place I do not think the cost need be so much.

37525. But assuming that it is so, how would you deal with the question?—There are two aspects of the matter. One is that in the beginning, as you say the number of persons who would get in by the door of the simultaneous examination would not be large enough to admit the minimum which we assume is going to be allotted as open to India.

37526. While perhaps a large number of persons would get in with the aid of the scholarships?—Yes. In that case if there is a sufficiently large number of scholarships given, so far as the immediate present is concerned it might be said that we do not lose anything. On the other hand there is one principle which is also advocated by many people . . . .

37527. In what direction would you yourself, as a practical politician, utilise that fund, assuming you have £10,000. I want an answer in which direction you will spend it?—I am going to show you why I am still inclined in favour of the simultaneous examinations.

37528. Which would you prefer, the system of scholarships or the simultaneous examinations?—I would still prefer the simultaneous examinations.

37529. There is one more point. At present the main grievance is that such of our able students as have not the means are kept back from getting at the open door in England?—Yes.

37530. The scholarship fund scheme would equalise you in that respect?—To a very small extent.

37531. So far as Indians of merit and ability are kept back from competing, there would be an attempt to equalise those conditions, by the grant of scholarships?—Yes.

37532. I want to have your opinion as regards the failures at the simultaneous examinations which you propose to introduce. As regards the failures at the English competitive examination, are not the persons who go to England, study for 4 or 5, or 3 or 4 years and come out unsuccessful—are they not expected to be better citizens in India, than persons who appear for the simultaneous examinations and fail here?—What you have got to see is this. He might in certain respects be a better citizen having obtained a knowledge of English life. But so far as he himself is concerned he is a loser in money.

37533. So I put it expressly to you from the point of view of the interests of the country. I quite admit that individually he will be a sufferer. As a practical politician you are interested in India, and in its condition. The presence in India of such failures would be a greater acquisition so far as citizenship goes, than failures in this country?—I do not know that the man would not have a feeling of disappointment rankling in his mind.

37534. As regards equal opportunities, barring this consideration of able, but poor Indians being kept back, there is no actual inequality so far as the wording of the Statute goes. When the Statute was passed, there were few Indians in the Service. What the Statute did do was that it enabled all Indians to appear for the examination?—No, excuse me. When the Statute of 1833 was passed, there was no competitive examination; the appointments were all made by nomination. The examination was founded in 1853.

37535. It was nomination into Haileybury?—Yes.

37536. When the door was opened, it is not as if the door was in any way restricted to the coming in of Indians. There was only one door, through which both could go in. It is on account of other circumstances, such as distance and want of means that the inequality arose?—Yes.

37537. Are there not able but poor people in England itself, who are deterred from taking up the Indian Civil Service course on account of want of means. Is not that complaint as to poor people with clever brains being kept back from competing at the examination, an item which is present in both cases?—I do not suppose that it can be to the same extent. It cannot be to the same extent there.

37538. You think that anyone can pay the public-school fees and go through an University career in England?—If you take the proportions, that can do so, you will find that the proportion in India is small—overwhelmingly small.

37539. I admit there is geat difference in degree. You admit that there may be certain persons who may not be able to compete for the Indian Civil Service Examination on account of poverty and want of means?—The probability is that they are persons who are unable to get any kind of education. If they are able to obtain any kind of higher education and if they have the inclination, there is nothing to prevent them from getting it.

37540. Do you say there is no difference between the cost of ordinary education here and that of ordinary education in England?—What I mean to say is that if the cost of education in England is high, the Universities give considerable help in the way of scholarships to enable persons to study.

37541. There is only one question more that I will trouble you with. You have in your written answers advocated a complete separation of the

Judicial and Executive function. I want you to give me an answer to this question—whether you propose that as a mere theoretical abstraction, on the ground that it is always desirable to have the two departments entirely separate, or do you propose that as a practical step to remedy any grievances or complaints that are felt?—I believe it has been long held—Lord Dufferin called it a counsel of perfection—and it has been admitted by men of the highest judicial eminence and executive position, that it is desirable to effect the separation of Judicial and Executive functions.

37542. My question is not as to its abstract desirability, but what I wanted to know was whether your recommendation was made on the grounds of abstract desirability, or was based on the fact that it would go to remedy some of the existing complaints which the public and others have to make?—It is the latter reason.

37543. (*Sir Murray Hammick.*) Do I understand with reference to this answer to question (6) where you propose that 50 per cent. of the Civil Service should be Europeans, that you advocate that merely as a compromise?—Yes.

37544. That in your opinion it is not necessary to make the compromise and you would leave the simultaneous examinations alone?—I am saying that 50 per cent. Europeans would be in the Service without laying down a hard-and-fast rule.

37545. Suppose 50 per cent. Europeans did not get in, would you still be of opinion that the simultaneous examinations should exist in order that the Service might be completely Indian?—There is hardly any chance of that.

37546. If it produced that effect, are you satisfied that the Indians who would get in by that means through the simultaneous examinations, would be of that character that it would be unnecessary in that event to have any European minimum at all?—My reply has to be taken with all the limitations that I put upon it and with all the safeguards that I impose. It is not to be merely an intellectual standard. In the first place, I do say that a very high examination of that kind does mean the possession of qualities of morality, qualities of patience, steadiness and self-control and all other things, in the man who passes it. Secondly, I must myself say that his moral character has to be judged, his moral character from his school days, up to the time that he appears for the examination, and if any of the candidates is an undesirable person, he is immediately eliminated. So you have both the intellectual qualification and the moral qualification.

37547. Are you going to select your candidates for the simultaneous examination before they are allowed to go in for it by the standard of a moral certificate?—My scheme for the present would be to send in along with applications, certificates of moral character also, and you should not admit any one unless he is found to be sufficiently satisfactory.

37548. You would not have any selection before the examination?—Whether it comes on before or after is not a matter of much importance.

37549. What I wish to ask you is: do you intend to have a personal selection of these candidates either before or after the examination?—Whether it comes before or after does not matter. What he has to satisfy the Civil Service Commissioners is that, in regard to this examination, he has first of all the necessary qualifications for the examination, and secondly he possess the necessary moral qualities, by the production of certain kinds of certificates.

37550. It will only be a production of certificates, as happens at home as regards the English boy, that he was of good character at school and nothing more?—He should be required to produce certificates from year to year both in his school career and in his college career.

37551. But you do not intend anything more than a certificate—you do not intend anything in the nature of a personal interview?—If that is considered necessary, I have no objection.

37552. You have no objection to an elimination by personal interviews with the candidates?—No.

37553. If you insist upon it in India, you would also insist upon it in England?—Yes.

37554. You would be in favour of selection by interviews with candidates in India?—I would not call it a selection. First of all there is the natural standard of examination and then there is also the moral examination. If you call that selection I do not object to the word.

37555. You would have the candidates' certificates looked into and that certain persons should examine them to see whether they were up to the standard in moral conduct?—They would inquire into their moral history.

37556. What body would you have in India to make this examination into the standard of moral conduct of the candidates?—I believe the syndicates of our Universities can be entrusted with that authority by the Civil Service Commissioners.

37557. Is it your idea that the candidates should come up from a University?—Suppose you have candidates from the Universities, then you have such bodies who can be entrusted with that duty.

37558. Your Senates are rather cumbrous bodies. How are they going to select candidates of the requisite moral standard?—I said "Syndicates."

37559. You will have the Syndicates of the five Universities meet at a centre and judge of the moral conduct of these people?—You may give the power only to one or two—say the Calcutta and Bombay University Syndicates or the older University Syndicates—and they might make inquiries into the moral conduct of persons that might apply from their own presidency. If the person is found fit or nothing wrong is alleged against his character, there will be no further enquiries, and there is no reason why he should not be appointed.

37560. You do not fear, from any system of that sort, the very favouritism that you are afraid of?—They would first of all be a body examining into the history of the candidates. They would be practically a reporting body to the main body. It will be a tribunal subject to an appellate authority.

37561. It is an important distinction you put forward in regard to your simultaneous examina-

tions. Now you are very much in favour of selection or elimination of candidates by personal interviews with candidates. Do I understand you to say that that is your scheme?—What I suggested was that, first of all, you take from him a thorough history of his moral character, as given by his teacher or by his College Professor, if he was in college; and if necessary a personal inquiry is also made. On that a report is sent and any person who is not found to be desirable is eliminated.

37562. Are you in favour of simultaneous examinations without any of these restrictions, or do you think that simultaneous examinations, if introduced into India, will necessitate an enquiry of this kind into the moral conduct of the people?—It is said that the examination gives you the guarantee of only the boy's intellectual qualities.

37563. I understand that you think it absolutely necessary that if you have simultaneous examinations, you must accompany them by a personal examination into the moral standard of the pupils, for the purpose of the elimination of bad characters from the examination?—I do not put it so strongly as that. What I say is, there is first of all the intellectual examination, and then there is the moral examination; and you get the certificates and so on. Satisfy yourself about his moral conduct; and if he is undesirable, then he should be eliminated.

37564. How are you going to find out whether he is undesirable or not?—He has to produce certificates of good conduct, under the present system. All that you might require is some statement giving a history of the young man. After that, if necessary you make inquiries, and on those inquiries, a report might be sent to the Civil Service Commissioners, and they might eliminate the person who is undesirable. This is a different thing from a system of selection.

37565. Do not you see that your system will give rise to a great many more difficulties as regards simultaneous examinations than a plain system of open competitive examination merely taking the certificate of every boy that comes up? But you desire to go into the character of each boy and have a report sent to the Civil Service Commissioners. That means that every case has to go to England?—Might be.

37566. You would ask the Civil Service Commissioners to find out whether A or B is to be allowed to appear for this examination or not?—That again, I say, is to satisfy the objections of those who think that we must have some further guarantee of character than what is afforded in the case of the present examinations.

37567. I am asking you for a personal opinion. Do you think it is necessary or do you think it is not necessary?—I am suggesting it to satisfy the opinion of others.

37568. What is your own opinion?—I have stated myself that the examination is a good test of the possession of certain very high intellectual and moral qualities. Further, there are certificates of honesty and good character. They ought to suffice you, but if you still want .....

37569. It is not what I want; it is for you to say what you want?—I have given you what I want. There is the production of certificates of good moral character.

37570. Do you think that is quite sufficient?—That ought to be sufficient, if it is sufficient in the case of the present candidates.

37571. In your opinion it is sufficient?—Yes.

37572. You do not think it necessary to have a personal examination into the moral qualities of candidates?—No. But if you want it I am prepared for it.

37573. I want to ask you another question. Mr. Fisher asked you whether considering, not only as regards the study of the language, but as regards the adaptability of character, it is really advisable that Englishmen should come out to this country three years younger than they now come out, that is, at the age of 23 instead of 25, or 22 instead of 25, we should suggest that the examination in England should be placed at 19 instead of 23, I should like to know whether you could give us any method by which arrangements for the simultaneous examinations could be made which would satisfy the Indian out here that he has got the same chance as he would get, if the age were 23, as it is now?—The difficulty of the matter is this: as I told Mr. Fisher, it is the premise with which I cannot agree. It is supposed that persons who come out under the present system are less adaptable to their environments than those persons who came out at an early age. That is a proposition the correctness of which I am not prepared to accept.

37574. Supposing we come to the conclusion, and supposing the Secretary of State eventually thinks it necessary to reduce the age to 19, can you suggest any course by which Indians in this country could be given equal facilities to get in under these circumstances?—What I would say is this: that would be a matter that would be unfair to Indians, until we rectify it by having a higher age for Indians.

37575. You think it would be possible to have an examination at 19 in England and a simultaneous examination out here for Indian boys who should be allowed to go up at 21?—Yes.

37576. You think that would be possible?—Yes. That would be possible.

37577. I now pass on to two or three questions as regards the effect of these examinations upon Education. I suppose you know that, in England, for many years past, the efforts of the Civil Service Commissioners have always been to fit in their examinations with the curricula of the various Universities in England?—Yes.

37578. And they have done that with considerable success?—Yes.

37579. On the other hand, I suppose you know that if we instituted simultaneous examinations here, very great pressure would be at once brought on the Senates of our Universities to bring their curricula to square with the examinations held here for competition for the Indian Civil Service?—Yes.

37580. Do you understand what I mean?—Yes.

37581. Do you not think that this very pressure that would be brought to bear on the Universities out here to alter their courses, which

have been the result of an enormous amount of thought and consideration for the last 40 years, would be a very serious drawback to the starting of the examinations in this country?—I do not see that there is any such conflict as you think. After all, what is it that is wanted. What our Universities aim at is to give sound education in the different departments of knowledge. And what is it that the Civil Service Commissioners want? To test their candidates in regard to the possession of sound knowledge in various departments. I do not, therefore, see any bar if any pressure is brought to bear upon Indian Universities which would be in the direction of raising their standard of education, making it more effective and bringing in more qualified professors and having a more searching examination and so on.

37582. You want to have an entirely separate examination for the judicial side different from the executive side?—Yes.

37583. That would involve two examinations in England and two examinations out here?—Papers would be the same in regard to all the other subjects except in regard to law which the students going in for the judicial side would have to take up. This would be the only difference.

37584. Would you have the examination at the same age?—Yes. Everything should be the same in regard to persons who want to go in for the judicial side. They would have to make their choice of the department.

37585. That would be rather difficult to work out?—No. One boy would have to go in for an examination in which he has a certain number of subjects, and another boy would be going in for an examination for which he has to take six extra subjects.

37586. Do you think it likely that a boy would go in for six extra subjects?—They will have to compete for a maximum of 6,000 marks, of which 1,500 may be allotted to law. There are six papers in law with 1,500 marks allotted. You may make them three different papers, if you like, for law. The other papers would be common to both and they are set at one time. A similar thing existed in my time when there were 13 different optional subjects at the B.A. We had to select not one subject but three subjects out of these 13 subjects, and all of us were not examined on the same day. There were different days fixed for different subjects and the candidates who took different subjects appeared on those different days.

37587. Your idea would be to have a certain number of compulsory subjects and a certain number of optional subjects, and the six heads of law that you propose to prescribe would be optional subjects, and if they should be taken up by a candidate, he would be considered as having elected the judicial side?—My scheme says that the boy who goes in for the judiciary must appear in those papers.

37588. He must at the time he goes up for the examination decide whether he goes into the judicial or to the executive side, and if he is to go into the judiciary he must take up these six subjects?—It he *wants to* enter the judiciary, he must take them. These law papers are compulsory for him. He would have to get marks in other subjects to the extent of 4,500.

37589. You would not have it that a boy who might fail for the judiciary might get into the executive and *vice versâ*?—There is nothing to prevent them from trying for both. He might send his name for both.

37590. It is rather a complicated arrangement?—We had such a complicated arrangement even in India. There was nothing difficult about it. That was continued for years.

37591. Have you heard of a boy going up for a simultaneous examination, passing for two different careers, and in two different sets of examination?—It is only a matter of arrangement. You may say that the examination will last for a long time and the boy would be putting himself to a very great strain. But, only if he likes it, he is going to take it up in that way. There is nothing to prevent him from getting through both the examinations.

37592. You do not think that, after the examination, a boy could learn enough law for two years at home?—None of these schemes which have been advocated holds out any guarantee of real knowledge. Unless he is examined immediately after the examination, in such subjects as those prescribed for the B.L., there is no use.

37593. Your idea is that the candidates who go up for these examinations should be graduates in Law?—I do not suppose they will be. By the time they become Bachelors of law, they would be at least 22 or 23, and afterwards to go to England would be rather difficult. They would have to go there at an earlier age, or if it is here they would just come up to the B.L. Examination.

37594. Do you not see that this would necessitate a boy specialising in all the subjects of Hindu Law, Muhammadan Law, Criminal Law, Torts and Contracts? Do you suppose that an ordinary boy who has not specialised from lower classes will have enough knowledge of these subjects?—They are not boys. They are young men according to my scheme. They are young men of 24 and 27. Those are the ages at which students appear for the LL.B., which is known to be a very stiff examination.

37595. It would alter the whole character of the examination. It would be an examination for special subjects, instead of an examination of the results of general education in a public school?—There are two things, are there not? There is general knowledge tested in those four papers, relating to 4,500 marks. There is the general culture test. It may be in science, it may be in literature, or it may be in history. In that way his general culture is tested. If he chooses law, then his real knowledge of law also is tested. Then alone he goes into the judiciary, and not till then.

37596. (*Mr. Standen.*) In your answer to question (40), you say "as far as possible, an Indian coming under the system of competition should be appointed to a province other than that of which he is a permanent resident." Why do you think it desirable that Indians should not serve in their own province?—I say it again to obviate objection.

One of the things generally stated is that a European keeps himself aloof from all parties and so on; and they are afraid of Indians taking sides. To obviate this kind of criticism, I say let not a Bengali civilian be appointed to Bengal, but be sent to Bombay, Madras, the United Provinces or the North-West Frontier Province. It is only for that purpose, I suggest it. Secondly, also, in order that he might, as far as possible, work in a sphere different from that in which he himself was brought up. I have suggested this to obviate objections and also to see that, like Cæsar's wife being above suspicion, he should be entirely under different surroundings from those in which he was brought up.

37597. Suppose the simultaneous examination were established, do you think that the majority of Indians who would get into the Indian Civil Service under these conditions would be men from Bengal, Bombay and Madras?—I do not think so. It might happen so for four or five years. I do not suppose that our province is not coming up to other provinces.

37598. It is not improbable?—It might happen in the beginning, say for five or ten years.

37599. Supposing it did happen, the result of your whole proposal would be that you would have the most backward provinces administered more largely by Indians and the most advanced provinces administered by Englishmen?—I do not think so.

37600. If you had a Bengalee, a Madrasi and a Bombay Mahratta, you would not send them to their own province, but you would send them to the Central Provinces or Burma or the Punjab?—Yes.

37601. And you will have to fill the places which they might have filled in their own Provinces—you will have to fill those places with Englishmen?—Yes.

37602. The ultimate result of that would be more Englishmen in more advanced Provinces and many more Indians in backward provinces?—Suppose such a result takes place, I do not see that from the administration point of view it will not at all be undesirable to have a larger number of Europeans say in Bengal. But apart from that, I do say: let us take the facts as they are. The Central Provinces and Berar were among the latest to come under the British rule. Are the people in any way behind those of Bombay? I am only speaking educationally. Educationally, we may not have the same number of colleges, but how many students have gone there?

37603. Let us accept it that it is highly probable, that the majority of successful competitors will come from the more advanced provinces. Supposing they do, would not what I have stated be the result of your proposal? Do you think that would satisfy anybody? Would Bengal be pleased at being governed much more largely by Englishmen than Burma and the Central Provinces?—I do not think that when the present dissatisfaction is removed, any of that sentiment would remain behind.

37604. Are you aware that the young Indian civilians are not very ready to go into the judicial branch?—Yes.

37605. You are aware of that?—Yes.

37606. Would not the same feeling prevent the candidates from going in for a separate judicial examination?—When they find that if they have to get in at all, they could get in only in that way and with the prospects that my scheme contemplates, there will be no difficulty.

37607. How do you propose to improve their prospects?—One of the reasons why people are unwilling to go into the Judicial Department is they say that there are not the same prospects before them as there are before the men in the Executive Department. But, in my scheme, I have provided for one Membership of Council. These prize appointments will stimulate the people to get into the Service. When the number of prize appointments is increased, and the prospects are made equal in both the departments, I do not suppose that there would be the same disinclination to go into the Judicial Department that now exists.

37608. You propose to stop recruitment for the High Courts from the Bar?—No.

37609. How do you increase the number of prize appointments in the Judicial Branch?—The persons who get into the Indian Civil Service as members of the Judicial Branch will go to the High Court. But the members of the executive branch of the Indian Civil Service have no right to get into the High Court.

37610. Are not there the same number of prize appointments at the present time?—For years for instance in the Bombay Council there was nobody from the judicial side at all appointed.

37611. In the Bombay Executive Council?—Yes, nobody at all was appointed from the judicial side. I believe that was the case in Bengal and Madras for a large number of years. There was nobody appointed to the Council from the judicial side.

37612. That is one of your recommendations that one Member of the Executive Council should always be a Judge?—A man in the Judicial Department.

37613. You think that the offer of these prize appointments would lead considerably to greater readiness on the part of the young civilians to take to the Judicial side?—Equally in the other appointments.

37614. Meaning thereby, what?—Looking into the Indian Civil Service list, one should see that the appointments are fairly equal.

37615. Judicial appointments are better paid at present?—Not the higher ones.

37616. You will find that the District Judges are all better paid?—I have not got the statement with me, but I know there are places on Rs. 3,000 or Rs. 3,500 in the Executive Departments which are not available to the men of the Judicial Department.

37617. Your opinion finally is that there will probably be a strong competition on the part of the English candidates for the Judicial Department?—Yes, provided that the prospects are equal.

37618. (*Mr. Thakur.*) May I take it that the effect of your proposal in your answers to questions (10) and (21) is that you do away entirely with the

present system of listed posts?—Not entirely. The present system will be done away with, but those posts will form a part of the one-sixth appointments open to Indians.

37619. What I mean to ask you is that, apart from the Statutory Civil Service, which may get or may not get all the appointments which you propose should be given, the Provincial Service will not get the appointments that are open to them now, as listed posts?—The Provincial Service will get 40 of the superior posts.

37620. That is less than what is now open to them?—At present 56 are open to all Indians—not only to the Provincial Service people, but to all Indians in India; and in my scheme that number will be 120. When you take a man's opinion you must take the whole of his opinion.

37621. When you list the appointments for the whole of India how will they be apportioned?—The appointments will vary with the different provinces. The Provincial Service has one-sixth of the superior appointments in the Province and they would be available for what may be called appointments under the statute. There is no Provincial Service under my scheme.

37622. The present system is to list one-sixth of the appointments for the Provincial Service and one-fourth of them is for other people?—It is not one-sixth, really speaking. I have given you the figures.

37623. The orders on the subject—are they not to the effect that one-sixth of the appointments should be listed, though at present there are only two posts filled up?—There are 720 superior appointments, of which only 56 are open to Natives of India appointed in India.

37624. That is because the full number has not been listed?—That is all they would give. They decline to give more than 56. That is the number of superior listed posts. The schedule consists of Assistant Collectors, Collectors and Commissioners and so on. Out of those appointments, only 103 are open.

37625. Are you aware that there are certain posts which have not yet been filled up, because the claims of certain civilians who entered the service before that scheme came into force have not been satisfied?—Fifty-six is the number of superior listed posts.

37626. On this account, some proportion of listed posts have not been filled?—That proportion is not large.

37627. Large or not, there is a proportion of these posts not filled?—Is it not 90, now which are filled up?

37628. In the whole of India?—Yes.

37629. You said it was 56?—120.

37630. The system of merging inferior posts into the Provincial Service has been put a stop to and probably rightly, but without looking to what actually is in possession of the Provincial Service. Only let me know if these orders are correct—that one-sixth of the superior appointments are available to the Provincial Service at present?—I do not agree with you. Deducting other posts listed as open, the Provincial Service has only 56. It is not the number actually in possession. That is a possibility open to you. You have only 56 throughout the whole of India and Burma.

37631. Suppose 56 are now open to the Provincial Service, only one-fourth of it is open to others?—Yes.

37632. And therefore, the rest is open to the Provincial Service?—Deducting 14 from that figure, there remains 42 as open to the men of the Provincial Service. Under my scheme, the Provincial Service will have at least 40.

37633. At least two less?—In that case, the Provincial Service men will see that there are other countrymen of theirs who will get 80. They will have sufficient patriotism to make that sacrifice.

37634. Would not the other countrymen have patriotism enough to see that these men get more?—You will get only two more.

37635. You say that the present conditions are not to continue, because the service is regarded as inferior?—Yes.

37636. That is your main objection?—I have heard complaints to that effect from the men of the service themselves.

37637. If it is reformed and put on a sufficiently good basis, so that the stamp of inferiority is removed, would you not like to see that these higher appointments are added to the Provincial Service, instead of the services being more and more multiplied, to the distraction of Indians themselves. Is not the result the same if instead of having a Provincial and Statutory Civil Service and any other number of services, and those who want to get in not knowing which to enter, you have—and it will be more profitable to have—two services, one the Indian Civil Service, and the other the Provincial Service in which their employment will be sufficiently dignified and advantageous and which would supplement the needs of the Government and Administration, and to which all the posts that you take off from the cadre of the Indian Civil Service are added?—We have to remember what the Provincial Service is.

37638. I want a much better system. The Service to be divided into two, one supplementing the other, and the superior appointments from the Indian Civil Service being put into the other?—It is not what is desirable in the abstract, but what is practicable—I have proposed what is practicable, taking all things into consideration. You have to remember that there are various claims which have to be satisfied.

37639. That is a matter of detail. We first want to settle what the service should be and then see what other claims have to be satisfied?—You have to see that the Provincial Service is not the only service to be kept in view. There are other things to be taken into consideration.

[Adjourned for a short time.]

37640. (*Mr. Thakur.*) Supposing your scheme of a Statutory Civil Service is not granted, have you any objection to the full number of listed posts being added to the Provincial Civil Service and its status improved?—Of the 120 posts, you mean to say, possibly open?

37641. Yes. In the absence of any other service to which they could be deviated, do not you think it would be better to have them added to the Provincial Civil Service and its status improved?—If the other parts of my scheme are kept and all that you want is that, instead of reviving the Statutory Service in the manner I propose, the 120 superior posts should go to members of the Provincial Civil Service, I would have no objection, provided it goes along with the simultaneous examination suggestions.

37642. The simultaneous examination in your scheme does not affect the Provincial Civil Service?—I have a scheme which is entire by itself, and I can only think of it as an entire scheme.

37643. Will you kindly explain in detail how, if the Statutory Service is not given, the posts that are listed under your scheme will be added to the Provincial Civil Service?—If I understand the resolution of the Government of India correctly, the Provincial Service would not be confined to those persons for whom the Statutory Civil Service was intended. The Statutory Civil Service was intended for Natives of India as defined by the statute, but by the resolution of the Government of India, for the purposes of the listed posts Europeans who are not statutory Natives of India shall be eligible for appointment if qualified according to the conditions, with the sanction of the Government of India. That would therefore become an integral part of my scheme.

37644. My question is not about who will get into the Provincial Service as it will be. Is there anything in your scheme which will prevent those posts being added to that Service whatever be its composition? Would those 120 posts, or whatever the one-sixth would come to, available under the existing orders for the Provincial Civil Service, be given to the Provincial Civil Service?—All I can say is that full justice would not be done to the claims of the Natives of India even to the extent admitted by the Statute.

37645. It is on that account that you will not have them added to the Provincial Civil Service, because if they are added to that Service full justice to the claims of Indians will not be done?—No, not by the proposal I have made.

37646. That is one of your objections to adding these posts, I understand?—For giving up my scheme and adopting what you say.

37647. Supposing this scheme is not granted, what would happen to these posts?—If the number is increased, in the absence of anything else I would say that possibly it might do some good to Indians, that is all.

37648. In order to remove your objection of inferiority from the Service, do not you think it would be better that direct appointments to the grade of Rs. 300 should be made and the Service made a continuous one up to the highest post that is opened to it?—What would you do for Munsifs, the persons holding appointments of Rs. 200 either in the Judicial Branch or in the Executive Branch?

37649. Unfortunately I cannot tell, and therefore I want to have your advice. Supposing we have a Provincial Service, and instead of having members from Subordinate Services drafted into the Provincial Service a scheme is recommended in which direct appointments to all or some of the posts are made to the Provincial Service in the lowest grade in these Provinces, that is Rs. 300, and other posts that are added are made continuous from Rs. 300 to the very top, say, Rs. 3,000 or more then do you still think that the Service will retain the same stigma?—I confess I do not follow your question.

37650. Supposing you have a Provincial Civil Service in which direct appointments are made to the Rs. 300 grade, and the officer rises to the highest post that is open to the Provincial Civil Service, the Service being placed on the same footing, say, as the Police Service, Public Works Department, etc., in which the highest post, of about Rs. 3,000, is open to the members of the Service, gradually rising from Rs. 300 or Rs. 350; that instead of the present system, in which a man is let in from one water-tight compartment to another where it is written in front of him "You will go so far and no further": those holding the higher posts are treated on terms of equality with the members of other services who hold similar posts. Would your objection of inferiority still remain?—That would be to some extent similar to what I propose.

37651. Then your objection would be removed?—Excepting this, that for persons below Rs. 300 there would be no opening.

37652. I am quite prepared to concede that, whatever the annual vacancies may be, half of them may be given to them?—That would be very much like my scheme and I have no objection to it then. If you provide for the claims of men below Rs. 300, and make appointments by some suitable methods, preferably I believe by competitive examination, practically that would be very similar to what I have proposed.

37653. In your answer to question (16) you have said something about the rates of pay, which would now be, I take it, part of this scheme of the Statutory Service. Do you think that the difference of pay between the several grades should be only Rs. 100 or in some cases larger? If an officer begins at Rs. 300, do you think he should be promoted to Rs. 1,000 by steps of Rs. 100?—I believe at present it is Rs. 300, Rs. 400, Rs. 500, Rs. 600, Rs. 700 and Rs. 800, and I should have one of Rs. 1,000.

37654. The United Provinces of Agra and Oudh have a different grading. From Rs. 300 to Rs. 500 they have grades with a difference of Rs. 100, and thereafter they have grades of Rs. 650, Rs. 800 and Rs. 1,000. Would you prefer that grading to the present one?—I would have no objection to it.

37655. In answer to question (63) about pensions, you have given the ages and the period at which pensions should be given, but you have not stated of what amount the pension should be?—That should be half.

37656. Half is the usual rule. With this scheme, and with the higher posts open, do you think the maximum at present available is sufficient?—I should make it Rs. 6,000 a year.

37657. The Central Provinces Government scheme represents that Rs. 1,000 extra should be

given to the holders of listed posts if the holders have been three years in that post, and Rs. 2,000 extra if they have been six years. Do you not think that would be better?—I have not thought about that.

(The witness withdrew.)

RAO BAHADUR VINAYEK MORESHWAR KELKAR, District Judge, 2nd grade.

Written answers relating to the Indian Civil Service.

37658 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I have been employed in the Provincial Civil Service for upwards of 23 years and have served on the Executive as well as on the Judicial side during this period and have served under Military officers as well as under officers of the Civil Service. I accept the present system of recruitment by open competitive examination as satisfactory in principle. In the system of recruitment by competition there is a guarantee of general fitness. In Departments, like the Education and other departments, where appointments are made by nomination, it is a matter of chance whether the selections turn out good or indifferent. Besides, in the case of such highly-paid appointments it is absolutely necessary that they should be above any suspicion of favouritism. It is also just that every one of His Majesty's subjects, rich or poor, should have a chance of serving the State, bettering his prospects in life and earning distinction.

37659 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—I consider that owing to the examination being held in England, the Indians are practically excluded from entering the Civil Service, and that it is not fair that they should be shut out from employment in their own country. I would, therefore, suggest that there should be a simultaneous examination in England and India.

37660 (3). Is the system equally suitable for the admission of "Natives of India" and of other natual-born subjects of His Majesty? If not, what alteration do you recommend?—The system is not suitable for the admission of Natives of India. The cost of sending their sons to England is beyond the reach of many Indian parents. It is only the richest people who can afford to send their sons to England to compete for the Indian Civil Service examination and take the risk of the chance of failure. After all, in every country, whether in England or in India, it is only the sons of parents of the middle classes who would care for employment in the State for the sake of the remuneration it brings. The Rajas and Zemindars and big merchants in India would naturally not send their sons to compete for the Civil Service, while the sons of parents of the middle classes cannot afford to go on the uncertain chance of success at a competitive examination. The present system, therefore, practically operates to shut out all Natives of India. I would, therefore, suggest an open competitive examination to be held simultaneously in England and in India.

37661 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(*a*) Selection by headmasters of schools approved or otherwise: (*b*) Selection by authorities in Universities approved or otherwise: (*c*) Nomination by headquarters or University authorities and selection under the orders of the Secretary of State: (*d*) Combined nomination and examination: (*e*) Any other method?—I am opposed to any of the systems suggested in this question. If any of these systems is adopted, the Natives of India have practically no chance of nomination. Since the abolition of the Coopers Hill College very few Natives of India obtain admission into the Imperial Branch of the Engineering Department. Similarly instances of the admission of a Native of India into the Indian Educational service are very rare. Moreover, apart from the question of the admission of Natives of India, I consider that the systems suggested will have the effect of transferring the patronage into the hands of Heads of Educational Institutions. So many different considerations as questions of party, race, religion, parents' influence and social and official position, may weigh with the persons with whom the nomination may rest, that there is no guarantee that the best selections will be made and the system will have the effect of debarring deserving candidates who may not have any social advantages. The system of open competition is, in my opinion, the best, and just. It offers a fair field and no favour and gives everyone a chance.

37662 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am in favour of a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty. The fears that are entertained that the Indian Civil Service will be swamped with Natives of India appear to me groundless. In a competition with the flower of English youth taken from the schools and colleges of a country like England, where education has made so much advance and where the students enjoy such splendid opportunitites of acquiring knowledge first hand, the chances of success for the Natives of India purely trained in India are comparatively meagre. It is a matter of experience even in India that students from the Presidency Colleges generally secure the highest places in the University Examinations as compared with students from colleges in the mufassal. The same thing will happen in a competition between the students from the English and Indian Universities. Even if the system of simultaneous examination were introduced, the great majority of students

desirous of competing for the Indian Civil Service will proceed to England to give a finishing touch to their education if they can afford to do so Thus the holding of the examination simultaneously in India will, without flooding the Service with Natives of India, have the effect of removing a long-standing grievance of the people of India and will open the door for the admission of a few really deserving candidates who are at present deterred from going to England by financial considerations.

37663 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions? —I am not in favour of holding the examination at any other centre within His Majesty's Dominions. Considering the disabilities imposed on the Natives of India even in the matter of their admission into the Colonies, it would not be unfair not to increase the facilities for the admission of competitors from the Colonies into the Civil Service of India. But I do not wish to take my stand in favour of my suggestion on that ground that it would be a just measure of retaliation against the Colonies for their treatment of Indians. I would simply urge the holding of the examination simultaneously in England and in India on the ground that it should be held in England because it is the governing country and we must have a certain number of people from that country with their superior education and administrative qualities for the better government of the country, and it should be held in India because the service is to be rendered in this country.

37664 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I am not in favour of a separate examination in India only for the Natives of India. A service recruited with such material will eventually share the fate of the Statutory and Provincial Services and come to be looked upon as an inferior Service.

37665 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—I am opposed to nomination, pure and simple, or to nomination combined with examination. In any system of nomination the sons of poor parents, however deserving, have generally no chance. The sons of officials are likely to get preference which would be introducing the hereditary element in the principle of selection. I am opposed to any system which might have the effect of shutting the door upon deserving youths because they are descended from poor parents. If a census were taken of people who are at present employed in the service of Government, it will be discovered that a great majority of them are people who have risen from poverty by sheer dint of industry and merit, many of them after a heroic struggle against adverse circumstances. There is a general rise in the cost of living, and the cost of education in India has, within recent years, so much increased that it has already become beyond the means of poor parents to give higher education to their sons. If added to these difficulties a system of nomination is introduced, there is no hope for the sons of poor parents. If a man is born poor, that is an unavoidable misfortune; but if any artificial restrictions are imposed which debar him from improving his position, it must produce discontent. The best system of recruitment is the one which gives an equal chance to everyone, high or low, rich or poor, with good social connections or without them. If certain classes and communities are backward, that is a case for giving greater facilities for their education by giving scholarships, opening special schools, etc., but not for giving them preference over more deserving persons of the more advanced communities. After all, you cannot prevent the people who have a special aptitude for the learned professions from filling the majority of posts in the service of Government. The martial classes will naturally look forward to employment in Military service just as the non-martial classes will look forward to employment in the Civil Service of Government.

37666 (13). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—I do not recommend any separate method of recruitment for the Judicial branch. The Indian Civil Service contains many examples of officers who, having adopted the Judicial line, have distinguished themselves as Judges even under the present system, according to which they enter the Judicial line after putting in a certain number of years' service in the Executive Branch. By his general education the civilian is ordinarily fitted to be able to acquit himself in any branch of the service in which he may be employed. Thus we have instances of Civil Servants holding charge of technical departments like Agriculture, Education, Police, Post Office, Finance and Commerce. Compared with this, it is comparatively much easier for a civilian to fill up a Judicial post. If the civilian makes up his mind, applies himself to a study of law and takes interest in Judicial work, no special training for the Judicial service is required. The great drawback is that the civilians generally prefer administrative work, and the Judicial service is at present not popular with the civilians on account of various causes. One of the reasons of this unpopularity is the fact that there are more prize posts in the Executive branch. Administrative work gives the officer opportunities of combining sport with duty. But the principal reason why Judicial service is unpopular is that it involves continuous sedentary work at a stretch. It also requires a patient handling to elaborate details and an application to

the study of law for which the civilian has generally no inclination. The remedy, in my opinion, lies in throwing open a larger proportion of the appointments in the Judicial line to Natives of India, the recruitment being made partly by promotion from the Provincial service and partly by direct appointments from the practising Bar. For the small proportion reserved for the Indian Civil Service a few civilians should be given the choice of the Judicial line in an early part of their career. In order to give them a thorough grounding in Judicial work they should be made to begin at the bottom and do original case work, usually performed by Munsifs and Subordinate Judges. If a civilian were, to start with, to go through the course of reading in law which was included under the heading 'Law' in the Final Examination of 1891 as given in the footnote to Appendix VI, with the Transfer of Property Act or the Law of Mortgage added to that course, it will provide him with a sufficient stock of legal knowledge to start with in his career as Judicial officer.

37667 (15). If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—The age-limits should be 21—23 years on 1st January. A clever Indian youth cannot take his degree earlier than 20 years. If the age-limits be fixed between 21—23 years, it would leave the Indian competitor a year or two after taking a degree at the Indian University for special preparation for the competitive examination. I should consider that the age-limits for English candidates should be fixed so as to attract candidates who have completed a University course.

37668 (19). What age-limit for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India" and for other natural-born subjects of His Majesty?—21—23 years for reason given against answer to question (15). It will enable the Indian competitor to take a degree before he begins the special preparation for the competitive examination.

37669 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well educated young man of the period?—I approve of the principle laid down by Lord Macaulay's Committee. The best proof of the correctness of the principle is to be found in the versatility displayed by the present Indian civilian and his adaptability to be employed in any department for which he may be selected, which is in my opinion due to the all-round general education which he has to receive for the competitive examination.

37670 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—I do not consider that the Statutory Civil Service should be revived. It stands self-condemned. Besides in the higher services we want the Indians to be selected by the same tests as the English civilians so that there should be no ban of inferiority on them.

37671 (29). What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your Province? Please distinguish in your reply between (*a*) military officers and (*b*) others; and give details of the latter?—I have served directly or indirectly under 8 Military officers holding the posts of Deputy Commissioners and Commissioners.

37672 (31). If the system of recruiting military officers in India has been stopped, or has never existed in your Province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent should it be adopted?—The system of recruiting Military Officers has been stopped in the Central Provinces. I do not advise the re-introduction of the system. When the Central Provinces were first formed into one Province, almost the whole of the service was manned by Military officers. The Provinces owe a debt of gratitude to the Military officers who had to do a lot of organizing work in the Province. They constructed roads and bridges, made the first Land Revenue Settlements, restored order and established tranquillity. But I consider that the system of Government by Military civilians is suitable only to unsettled or disturbed tracts or tracts inhabited by semi-civilised tribes.

37673 (38). Is the class of posts listed suitable? If not, in what direction would you suggest any changes and why?—I would suggest an increase in the number of listed posts. A separate Civil Judicial Department has been formed in the Central Provinces since 1908 only. As a tentative measure, the posts of District Judges are mostly held by members of the Provincial Civil Service who draw the same salaries as they used to draw before as Extra Assistant Commissioners. These salaries are ridiculously low. There is at present under the consideration of the Government a scheme by which the four posts of Divisional and Sessions Judges would be abolished and the Central Provinces and Berar would be divided into 11 District and Sessions Judgeships. If this scheme is finally sanctioned, I would recommend that six of these posts should be reserved for Natives of India. Five to be filled up by promotion from the Provincial Service and one by a practising lawyer. There

are at present three Judicial Commissioners. If their number is at any time raised to four, as is not unlikely, or if a Chief Court consisting of four or more Judges is sanctioned, I maintain that one of these posts should be allotted to the Provincial Civil Service and one filled up by direct recruitment from the Bar. Of the remaining posts usually held by civilians I would recommend that five posts out of a total of 35, including 29 Deputy Commissioners (leaving out three Divisional Judges and two District and Sessions Judges), four Settlement Officers, one Director of Agriculture and one Registrar of Co-operative Societies, should be allotted to the Provincial Civil Service.

37674 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—Two years under the present system as well as under the system of simultaneous examination recommended by me. In the case of Natives of India who pass at an examination held in India, a probation of two years in England is absolutely necessary.

37675 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—The probationer's course of instruction can best be spent in England, especially in the case of Indian candidates.

37676 (58). In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in India?—For candidates selected by competitive examination held in India the period of probation must be passed in England. The very journey to England and back is a source of instruction to a person who has never left Indian shores, and since the Government in England is the model on which Government in India is to be carried on, it should be a *sine quâ non* for all Indian candidates that they should have at least spent their period of probation in England and seen with their eyes how things are carried on in England. A compulsory residence in England for two years will be an obstacle in the way of the strictly orthodox Hindus only, but it is a thing which cannot be helped.

37677 (61). Is the existing system of Departmental Examinations suitable, and, if not, what change do you recommend?—I would abolish the Departmental Examination altogether, as it is altogether unnecessary. If it is maintained, I would raise the standard of the examination much higher, but lower the percentage of pass marks.

37678 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch. In particular, do you favour a system of granting study leave to Europe, and, if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—I do not think that any special steps are necessary for improving the proficiency in the knowledge of law of members of the Indian Civil Service in general or of the Judicial Branch in particular. If the civilian can overcome his aversion to Judicial work and make up his mind to apply diligently to a study of law, no previous special training for Judicial work seems to be necessary. I do not favour a system of granting study leave to Europe at all.

37679 (66). Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial Branch? If so, please give detail?—I should make the civilian selected for the Judicial Branch begin at the bottom by working for some years as the judge of a Court of First Instance. That will give him a training which will be of great use to him when he reaches the highest posts.

Written answers relating to the Provincial Civil Service.

37680 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—In the Judicial Branch the system of recruitment is quite satisfactory. Law graduates are appointed Munsifs in the Subordinate Judicial Service and promoted to the Provincial Service on a vacancy occurring in the latter. In the Executive Branch also I would advocate recruitment by competitive examination.

37681 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable and what arrangements do you recommend to secure this object?—They are fairly represented. In the Judicial Branch you have—

> 27 Maratha Brahmans, 2 Bengali Brahmans, 5 Hindustani Brahmans, 3 Muhammedans, 1 Hindustani Kayastha, 3 Maratha Kayasths or Prabhus, 2 Europeans, 2 Parsis, 2 Banias, 1 Kshatriya and 1 Kunbi.

In the Judicial Branch none but law graduates are recruited and the classes who do not graduate in law have no legitimate cause of complaint if they do not secure Judicial posts. I would not recommend the employment of unqualified persons in order merely to secure the representation of all classes and communities. No one would think of appointing a man who has received no education in Engineering or who does not come up to a certain standard as Railway Engineer, or of appointing as Civil Surgeon a man who has not attained a certain standard of Medical knowledge. I do not see why in the case of the Civil Service alone the rule about the employment of qualified persons should be relaxed merely to secure the representation of all classes and communities. Besides, there are unfortunately so many classes and communities in India that any attempt to formulate a scheme whereby the representation of

all classes and communities in the Government services would be secured, consistently with the maintenance of efficiency, would be hopeless.

37682 (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—Out of 4 Divisional and Sessions Judgeships in the Central Provinces two are allotted to the Provincial Service. The District Judges in the Central Provinces draw the same salaries as they used to draw as Judicial Extra Assistant Commissioners prior to the formation of a separate Judicial service in 1908. A scheme is at present under the consideration of the Government by which the Central Provinces and Berar will be divided into 11 District and Sessions Judgeships. When this scheme is sanctioned, I would propose that six out of the 11 appointments should be given to Natives of India, *viz.*, five to the Provincial Service and one to a member of the Bar. If the number of Judicial Commissioners is increased from three to four, I would suggest that one of these posts should be thrown open to the Provincial Service and one should be filled up by a Barrister or a pleader. Out of 29 Deputy Commissionerships (34 in List H of Appendix VI, less three Divisional and two District and Sessions Judges) and four Settlement Officers, one Director of Agriculture and one Registrar of Co-operative Societies, I would suggest that five should be thrown open to the Provincial Civil Service.

37683 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—I am not satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service. I would recommend that officiating grade promotions be given in the usual way.

37684 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I cannot but approve of the arrangement because that is one of the grounds on which a further increase in the list of posts open to the Provincial Civil Service can be justified.

37685 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—(*a*) No, (*b*) Yes.

RAO BAHADUR VINAYEK MORESHWAR KELKAR called and examined.

37686. (*Chairman.*) You are a District Judge, second grade?—Yes.

37687. You have been employed in the Provincial Civil Service for upwards of twenty-three years and have served on the Executive as well as on the Judicial side. How many years were you on the Executive side?—The Executive and Judicial used to be a combined Service for about fifteen years, from 1889 to about 1904, and we performed both functions. After the separation I was selected for the Judicial.

37688. You think that Indians require a better chance for admission into the Service?—Yes.

37689. And you would propose the establishment of a simultaneous examination?—Yes.

37690. Would you like to see a maximum limit for Indians in the Civil Service?—Yes; I would limit the maximum of Indians in the Civil Service to 50 per cent. but I would include in that those who are given listed posts as well as the Civil Service, because I have recommended also the opening of more listed posts for the Provincial Civil Service. I consider that if we reach by both methods a maximum of 50 per cent. it would not be too much.

37691. You would like to see an extension of the listed posts, and the difference between the listed posts as extended and 50 per cent. you would give to open competition?—Yes, I would give it to open competition so as to make the total up to 50 per cent. I would not have it more than 50 per cent.: I would have the minimum of the European element 50 per cent.

37692. Do you think you can better obtain the object you suggest, namely a limited increase of Indians in the Service, by means of a simultaneous examination than by means of an examination supplementary to the one now held in England?—I consider that the opinion in the country, as well as my own personal opinion, is that there should not be a separate examination in India. We all share the opinion that eventually it would come to be looked upon as an inferior Service whatever it might be in the beginning. When the Statutory Service was introduced it was with the object that the representatives of the Statutory Civil Service should be of the same position as the members of the Civil Service; but eventually when you introduce different methods of selection people will naturally say that such a one is better than another. You might say that the Statutory Service is better than the other, but there would be a difference. What we want is that they should be on a par, and that there should be no difference of any kind so far as equality is concerned.

37693. You think that, if a separate examination were introduced, it would be inferior to the open examination in London?—It need not necessarily be, but it will come to be looked upon as being so.

37694. Why should it come to be looked upon as so if it is not so?—It might be said that these people have been only examined in India and have had no opportunities of competing along with the Indian candidates in England and the standards are not the same; and in course of time it will come to be looked upon as inferior. That is what we all expect.

37695. Do not you see difficulties in enforcing your limit if you have simultaneous examinations with one list?—No. The only difficulty is that of the proportion being increased, but in my answers I say I share the opinion with many people that the Indians will not be able to secure

a large number of appointments in the Service, even up to the 50 per cent. I propose. That is the out-and-out maximum they may ever expect to reach. If that opinion of mine is wrong, certainly there are difficulties in the way of fixing the proportion of 50 per cent.

37696. If it were proved that, in order to carry out your restriction, you would need to overcome really serious practical difficulties would you object to such arrangements being made as would at any rate minimise those difficulties?—Yes. If you fix a percentage of, say, 50, in the list of passes the names of the Natives of India who have passed the examination, when the numbers are exceeded, need not be published. Supposing that twenty people are to pass into the Service this year, then in the published list you put only the names of the first twenty and the other names do not appear. Therefore they do not know what place they have obtained in the examination and the candidates who have not been selected will not know what their position in the examination has been. Supposing that numbers 30 to 45 are Indians, while numbers 46 to 50 are Europeans, if before reaching the figure 35 the necessary proportion had been already obtained, the others would be left out altogether, and their names would not appear at all.

37697. You do not think that the candidates who came out successful in the list, but who were passed over, would feel any sense of dissatisfaction?—They will not know the result, because in the published results you will only declare as having passed those who have secured places subject to the maximum.

37698. Do you think you could hold a satisfactory examination if the candidates knew that they are not going to be informed of the result? —Yes. The examination will be in England and I do not think any information can leak out.

37699. Do not you think that will lead to very great dissatisfaction on the part of those who enter for the examination?—I do not think so.

37700. You do not think they will mind if they are not informed what marks they have obtained?—No.

37701. You do not wish to see any separation of the Executive and Judicial functions, but you would like to see more Judicial positions open to Indians from various sources?—I have not stated that I do not want the separation of Judicial and Executive functions.

37702. In your answer to question (13) you say: "I do not recommend any separate method of recruitment for the Judicial Branch?" —That is what I mean, that I do not propose any separate method of recruitment. I have given my experience. By experience and reading they can acquire a very good knowledge of Law, sufficient to acquit themselves as well as Barrister Judges.

37703. You would like to see more Judicial positions open to Indians than are open at present?—Yes.

37704. You would like to see some from the Provincial Civil Service?—Yes, and some by recruitment from the Bar.

37705. And some from the Indian Civil Service?—Yes.

37706. What kind of proportion would you like to see from the Bar?—I do not recommend too many being recruited from the Bar because the best people at the Bar are not generally available for employment in the Government Service. In the case of recruitment for the Provincial Service we already appoint people who have had a legal training beforehand, and there is no reason why people who have been in the Service and have acquitted themselves well should be passed over for practising Lawyers. Those who have acquitted themselves well as Judges should be dealt with liberally.

37707. Why do you suggest recruitment from the Bar?—To introduce a little fresh blood and also to introduce some people who have distinguished themselves at the Bar; but I would not select too many of them.

37708. Do you think that successful members of the Bar would be likely to enter the Service if opportunity were afforded to them?—No. For instance, in the Central Provinces they will accept a Judicial Commissionership or a Divisional Judgeship but will not accept a District Judgeship.

37709. Do you think you could get a qualified man from the Bar to accept one of the more subordinate positions in the Judiciary?—No; we shall only get middle-class men to accept subordinate positions.

37710. So that you would prefer to see recruitment from the Bar of men of high standing to the highest posts of the Judiciary?—Yes, because for the Judicial Service we already take the men who commence by practising at the Bar and add to their legal knowledge by the experience of Judicial work.

37711. I gather from your answer to question (38) that you would like to see an increase in the number of listed posts for Indians to the extent of six Judgeships and five senior posts?—Yes. I have confined myself to this Province only. I am informed that the Central Provinces Commission itself has recommended five out of eleven appointments to be given to Natives of India, and I would simply make it six.

37712. Have you any views to offer us as to how the present methods of nomination could be improved?—Personally I am opposed to any system of nomination. My experience is that whenever we have had any system of nomination there has always been the danger of the hereditary element coming in. I have had a good deal of experience of the European officers in the Central Provinces and especially of the Police Service. There used to be no Police examination, and most of the District Superintendents of Police who came into the Police Service were all sons of distinguished officers of the Central Provinces Commission, and the same thing happened in other Departments. It was either his father's official connection or his father's wealth or his father's influence as a landholder that prevailed in making the nomination. I have more radical views. I consider that we should only find scope for employment for the best talent.

37713. You would like to see all form of nomination removed?—Yes.

37714. And to trust to open competition?—Yes.

37715. But a great many of your proposals would necessitate some form of selection or nomination; all appointments from the Bar, for instance, would be by nomination?—Yes, they would be by nomination.

37716. And appointments from the Provincial Service would be selected appointments?—I do not think that is a case of selection at all; it is the promotion of people whose merits have been tried. Competition I propose only for direct recruitment, for taking a man in the beginning. The case of people whose worth has been tried is quite different from the ordinary case.

37717. If you object to the method of nomination by an individual, subject as you say it is to abuses, what would you say to the institution of a scheme by which a Board of Nomination was established, composed partly of Government and partly of non-official members, possibly elected representatives of the Province?—I would have no objection to a scheme of that kind. The only question between me and other people would be the constitution of the Board. Instead of non-official members I would have the heads of educational institutions on the Board because I would rather have them than other people, as they know the students.

37718. And you think that if a Board of that character were instituted, nomination would, on the whole, probably be carried out without any abuses?—Yes; I am prepared to concede it to that extent.

37719. We have heard a great deal from witnesses in this Province about overwork in the Judicial Branch of the Service. What is your experience of that?—We are an overworked body. Of course, from statistics we are not able to make out a case of overwork. I have about twenty-three years' service in judicial work during which I have tried cases in many districts, and I used to have a lot of cases before, but I cannot get through the same number of cases now, as formerly, not because I am growing old, but because the cases are more protracted. Owing to the strength of the Bar litigation now takes more time than formerly. Although from the statistics it does not seem to be as large as one might have the right to expect, we are a very much overworked body. Formerly we could examine about 15 to 20 witnesses, but to-day we cannot get through more than two or three or four a day. Although I am considered to be fairly prompt in the despatch of my work I have enjoyed no holidays. I do not work very long hours. Each man has a different way of working; some people work long hours, 12 or 14 a day, but I prefer to work on holidays. Therefore I have hardly known a holiday.

37720. Your powers of controlling the Bar have hardly kept pace with the Bar's powers of arguing; is that it?—Yes, but that is a thing which it is too late in the day to stop now.

37721. Do you think that those who are younger and are coming on after you will be able to rectify that evil?—I think they will be worse off than we are.

37722. Your only suggestion is an increase in the staff?—Yes, I think that follows.

37723. In your reply to question (61) you say you would abolish departmental examinations altogether?—Yes.

37724. Why do you say that?—To people who have had the education that members of the Civil Service have received, a petty examination is of no value. They cram up certain sections of the Criminal Code and certain sections of the Evidence Act, and that is altogether superfluous. I have said that a lower percentage of pass marks should be fixed. If you want to have any examination at all it should be really an examination that would test the candidate's knowledge of the Acts, to show whether they have studied them. In fact I would give them all the books. At present there is one paper with books and one without books, and I say there should be no paper without books at all. You do not want people who have a knowledge of the law in their heads, but people who can apply the law with the aid of books. Therefore I would give them even annotated books, for the matter of that, and see what use they can make of those books.

37725. You would like to see the examination take a rather more practical form?—Yes, otherwise I would abolish departmental examinations in their present form altogether.

37726. You do not think the departmental examination is of any use at present?—No.

37727. But it might be of use if revised and introduced in a more practical form?—Yes.

37728. (*Sir Murray Hammick.*) You are a member of the Provincial Civil Service holding a listed post?—No; I held a listed post, officiating, about five or six times.

37729. But you are a District Judge in the Provincial Service?—Yes. Our District Judges are like Subordinate Judges in other Provinces; we are only District Judges in name.

37730. Have you got Criminal powers?—No.

37731. Only Civil powers?—That is all, and our Civil jurisdiction is divided between the District Judge and the Divisional Judge, who is interposed between us and the High Court. It is an anomalous position.

37732. Your recommendation is that officiating grade promotion in the Provincial Service should be given. Have you thought what a great deal of trouble that would give to the Account Department?—I think it is better that the officials of the Finance Department should have more work to do than that we should be denied promotion for deserving officers.

37733. But why should you get officiating grade promotion when your work does not alter?—Why should any Service get officiating promotion?

37734. What other Service gets officiating promotion?—The Imperial Service gets it.

37735. If it were taken from the Civil Service I suppose you would not want it for the Provincial Service?—I want it for both. Because we do not get it, I would not deprive other people of what they actually get. I do not want to act in that spirit.

37736. Have you had many transfers in your time in the Provincial Service?—Mine has been a specially unfortunate case, but it is not a typical

case. It is due to the fact that I have been selected for officiating posts.

37737. In those transfers have you found that you have lost a good deal of money owing to the expense of transfer?—Yes. The officiating promotion that I got was only an additional dignity and brought no remuneration to me.

37738. All the money has gone in the cost of the transfer?—Yes. In three months I would get about Rs. 800 officiating allowance and for one journey I had to pay Rs. 300 and Rs. 300 for the journey back.

37739. The allowances you get when you are transferred are not enough to cover your cost of moving?—They are absolutely insufficient. For instance, I get only double first-class fare, which does not cover more than my own and my wife's travelling expenses.

37740. One of the changes you would recommend is that the allowance for transfers of Provincial Civil Service officers should be raised?—Yes. The actual expenses might be given. We do not want to make any profit out of travelling allowances.

37741. Do you travel as a first-class officer?—Yes, but that has been only a recent change. Up to three years ago officers above Rs. 600 only used to get first-class allowances, but now all District Judges get them.

37742. If you get those allowances for transfers, and you get the grade promotions, and you get these additional listed posts you ask for, do you think the conditions of Service in the Provincial Civil Service would be fair enough?—Yes; they will be excellent. There is only one drawback, and that is, that the Provincial Service is recruited from the Subordinate Judicial Service and the Subordinate Judicial Service is miserably paid. The Judicial Commissioner and the Chief Commissioner are all aware of the difficulty in getting recruits for the Subordinate Judicial Service. We have Munsifs at Rs. 150 and Rs. 175, and Rs. 200 and Rs. 250.

37743. You want to see the Munsifs' pay improved?—I would abolish the petty grades of Rs. 150 and Rs. 175 and simply have Rs. 200, Rs. 250 and Rs. 300. Then the bar would be removed and the Provincial Service could be recruited from the Subordinate Judicial Service.

37744. You would like to see the Munsifs in the Provincial Civil Service?—Yes. They have had a good education, they know the Law, and they are graduates, and they should come in at once.

37745. If that were done and the other changes made you think the Provincial Service would be a good enough Service?—Yes.

37746. (*Mr. Chaubal.*) You told us just now that from 1889 to 1904 you did Civil Judicial, Criminal Judicial, and administrative work?—Yes.

37747. From 1904 to the present you have been doing only Civil work?—Yes.

37748. Did that scheme of separation involve any larger expense? Were there additional posts required for doing the Executive portion of the work, additional officers employed?—Yes. Formerly we had a very small number, but now we have got a larger number on the Judicial side and on the Executive side.

37749. Did you find yourself more overworked when you were performing all the three functions than you are overworked now?—Under the old system we were both overworked and work was not well done.

37750. You were overworked and the work was not so well done?—That is so.

37751. Is it your impression, and the impression of those engaged in the Judicial Service, that the separation has effected an improvement in the disposal of Civil Judicial work?—Yes; it is of a much better quality.

37752. Supposing that some process were adopted for separating the other two functions left in the officers, what is the opinion of your Service, or your own opinion, as to whether it would be an improvement or not?—The question of the separation of the Judicial and Executive functions is a much debated one, and it is a matter I have not studied very carefully. I should think that the magisterial functions might be given to the Civil Judicial people who already do Judicial work. Then there would be no increased expenditure to Government. But if you have three Services, the Collectors' line, the Magisterial line, and the Subordinate Judicial line, the expenditure would be three-fold. If you combine the Civil Judicial and Criminal Judicial and have the Executive by itself I think the change might be effected.

37753. There would be no difficulty, in your opinion, about the quality and efficiency of the work; you do not think it would suffer?—I do not think so. I think the people who do Subordinate Judicial work will be able to do Subordinate Magisterial work better than the present Executive side.

37754. From your experience in performing the duty of an Executive officer do you think that the performance of that work would suffer on account of your not having these criminal powers?—I think so, at least in the beginning. The Executive officers will lose their influence a great deal.

37755. Prestige you mean?—No, not prestige; their ability to carry out a lot of Executive matters. It means loss of prestige too.

37756. May I know in what directions you are thinking of the quality of the work suffering?—In the matter of many things in which the Law does not allow the Executive officer to impose punishment, for instance in sending children to school or enforcing sanitation or other matters which really conduce to good government and welfare of the people. The power of the Executive officer will be impaired in every way; he will be less feared.

37757. Can you give me a concrete instance of the way in which your work as an Executive officer would suffer?—I might go to a village and ask the parents of children to send their children to school, and although I may not use my magisterial powers in doing so, still the fact that I possess those powers is enough.

37758. Is that a piece of work which it is your duty to do as an Executive officer?—Yes; the Executive officers' duties are manifold. It is their duty to see that boys attend school regularly and that the fees are collected.

37759. Is that the duty of the education officer or the Tahsildar?—Both. The Educational officer is the Technical Department man but without the help of the Executive officer he would be powerless in many things. He has always to seek the help of the Executive officer.

37760. I fail to see how your having Criminal jurisdiction assists you to send boys to school?—I do not mean to say that the power is exercised, but the very fact that a person has that power makes a man's work more easy.

37761. Supposing a Judge in your position, without having Executive power, gives that advice to parents, they are not likely to disregard it because it comes from a Civil Judge and not from a Criminal Judge, are they?—They will take it like that.

37762. What I really wish to ask you is this. In the performance of the administrative portion of the work which a Revenue Officer has to do, no criminal powers are actually needed, are they?—No. Whatever Criminal powers are required are provided in the penal provisions of the different enactments by which you can have a trial before a Magistrate.

37763. (*Mr. Madge.*) In your answer to question (3) you say it is only the richest people who can afford to send their sons to England to compete for the Indian Civil Service examination and take the risk of a failure. No doubt that is largely the case, but have not you come across or heard of Indians who have risen in independent careers to positions of great eminence and disclosed splendid characters, who were not really poor and could have gone to England had they chosen?—That is to be found in every walk of life. The only question we have to consider is whether there is an obstruction in the way or not.

37764. In all countries in the world rich and poor fare differently, but you have said that it is only the richest and you make no exceptions. Are not there exceptions to this rule?—Poor people cannot go to England. The rich may have opportunities in other conditions of life to go, but the poor class have not that opportunity. The only way to get into the Civil Service now is by going to England.

37765. But there have been sons of fairly wealthy families who could have gone to England but have chosen not to do so?—Certainly.

37766. Consequently it cannot be quite correct to say that it is only the richest people who can afford to send their sons to England. There are other people who are rich and have not done so from choice?—I do not mean to say that all rich people will send their sons to England and that the only prospect they have is to send their sons for the Civil Service.

37767. I do not want to press the point. I only ask the question because you used the word "only." You do not recommend any separate method of recruitment for the Judicial Service; is that because you believe Civilian Judges as they are make very good Judges?—I do not say they do make good Judges, but I believe they can make good Judges having regard to the example of people who have been good Judges. One might mention the name of a most distinguished Judge of the Bombay High Court, for instance.

37768. Do you think that sending Indians to England at any age, or at a specially young age, has the effect of alienating them from the sympathies of their countrymen here?—I do not think so.

37769. (*Sir Theodore Morison.*) Have you any idea how many Indian students are at the present moment studying in England?—I have no idea, but I think it might be about 600 or 700 students.

37770. The last figures put it at 1,500 to 1,700?—Mine was only a rough guess.

37771. Do you know what they are studying for?—The great majority of them are studying for the Bar, and some are studying for technical Professions and University Professorships, but very few are studying for the Civil Service. Some are studying for the Indian Medical Service.

37772. And some are in the Medical Schools?—Yes.

37773. Do you think that the persons who are studying technical matters universally succeed whenever they come back here?—Yes, but there are not very many openings for them in the country under present conditions.

37774. Do Barristers do very well here nowadays?—Only a few. There is room for the best, of course, in every profession.

37775. For the Indian Medical Service I suppose only a certain number succeed?—Yes.

37776. Do you think that in any of these professions the chances of success are very much worse than they are in the Indian Civil Service?—No. If a man competes for the Indian Civil Service and fails he has failed, but in the other departments the men come out, and a medical student for instance might come out and carry on the practice of medicine, or a man could come out as a Barrister if he failed in the Indian Civil Service.

37777. And the technical people?—They do not get much chance, but they still have a technical knowledge which will always pay well.

37778. Has it a value in these Provinces?—Not the value which it should have, but we expect the value gradually to increase.

37779. Do you know from experience any who have held technical scholarships who have been sent home by scientific societies?—I know two or three instances. For example, there is one in the Mining Department of the Central Provinces who is getting about Rs. 300.

37780. Do you mean a Department of the Government?—Yes, the Mining Department is a department of Government. Some people go to the Agricultural College and get employment under Government.

37781. Have any of them succeeded in getting into industrial careers in this Province?—I know only one or two instances. I do not know of any people who made any very great success from their technical education.

37782. An English education does not seem very profitable in pounds, shillings and pence?—It depends on the quality of the education they receive. Those who have received a superior education do get on, but not in the way they ought to get on. They cannot get on much in the Technical Departments on account of the lack of industrial

activity in the country. But that industrial activity is increasing, especially in the direction of ironworks, and will furnish more room for enterprise and there will be posts for these people.

37783. (*Lord Ronaldshay.*) Are you a graduate of any University?—I am a graduate of the Calcutta University.

37784. Not of the Allahabad University?—No. In my days the Allahabad University did not exist.

37785. How did you get into the Povincial Civil Service?—I got in first of all as a schoolmaster.

37786. Through the Subordinate Service?—I came in as a schoolmaster on Rs. 60 and gradually became Head Clerk of the Deputy Commissioner's Office, then Clerk of the Court, and then I was taken into the Provincial Service. The name Provincial Civil Service did not exist at the time when I was appointed an Extra Assistant Commissioner.

37787. We have been told that if a graduate of the present day wishes to get into the Provincial Civil Service practically he has to go about asking for chits to recommend him. Is that your experience?—That is the only way in which he can get in. It may be chits from people or it may be on recommendation from them. If I happen to be high in the Government Service and I recommend a man to the officers they take my word that he must be a good man. Or I may recommend my son or the son of a rich gentleman.

37788. I gather from what you said that a certain number of these ambitious young men have to come to you for testimonials?—No, not to me, but to people like myself, either to me or other officers, European or Native, people of position.

37789. Nobody has applied to you personally?—I do not think I have enough influence perhaps. I have recommended the application to people who were bound to get into the Government Service because all graduates in Law are admitted. As District Judge candidates for employment in the judicial service have to forward their applications through me and I have given my recommendations in the usual formal way in my official capacity as District Judge.

37790. I see you recommend that the Provincial Civil Service should be recruited entirely by a competitive examination?—Yes. It is a thorough-going recommendation which might not meet with the approval of everybody, but it is my personal opinion.

37791. You think that would be a better system than the present one?—Yes, I consider that the system by which deserving people do not get a chance unless they have high connections or associations is not a proper system.

37792. (*Mr. Standen.*) You told us that some years ago the same officer exercised Civil, Criminal, and Revenue functions indiscriminately?—Yes.

37793. That is to say, an Assistant Commissioner one year might be trying Civil cases as a Small Cause Court Judge, and next year he might be working as Sub-divisional Officer, doing no Civil work, or very little?—No. In the old days one used to do all kinds of work every day, I used to do office work for a couple of hours and then admit a document to registration and then do Criminal work and afterwards begin Civil work.

37794. For some years past officers have been specialised for the Civil Judicial work?—Yes.

37795. How many years is it since the members of the Indian Civil Service have been specialised for Judicial work and employed solely on that work?—It may be two or three years.

37796. Do you think that that has had any effect upon the quality of the work turned out by them?—It is too early to say, as they have not had much experience. They are appointed District Judges after they have had only three months or so of experience of judicial work. It is only for want of men. Gradually that will disappear.

37797. (*Mr. Thakur.*) You say that on account of the separation the cost has risen, but was the rise in cost entirely due to the separation or was it due to the general increase in the work and the better quality of work demanded?—Of course it was principally on account of the increase in work and the work becoming more difficult.

37798. (*Mr. Mahdi Hasan.*) You said that District Judges are now treated as first-class officers with regard to travelling allowances?—Yes.

37799. Extra Assistant Commissioners are members of the Provincial Civil Service and get the same pay as District Judges, do they not?—Yes.

37800. Are they treated as first-class officers for the purpose of travelling allowances?—Not all Extra Assistant Commissioners. District Judges draw pay from Rs. 500 to Rs. 800, while Extra Assistant Commissioners begin at Rs. 200. There is no similarity between the two.

37801. But those who draw their Rs. 500?—They are on a par. In fact they used to be members of the same combined Service, but a few have been placed on one side and a few on the other.

37802. Do they get Rs. 5 travelling allowance per day?—No, they get that from Rs. 600. I think they get first-class Railway fare, but I am not sure about the daily allowance.

37803. Supposing they do not get as much as you do, do you think they should be all on a par with you?—I think so. The only thing is that District Judges are somewhat superior to Extra Assistant Commissioners. The present District Judges are really District Judges in name. There is a scheme already under consideration by which there will be real District Judges. The present District Judges will be reduced to the position of Subordinate Judges if the scheme is sanctioned and they and the Extra Assistant Commissioners will then be on a par. At present we get less pay and our status is less, but we exercise greater powers and occupy a more influential position.

(The witness withdrew.)

RAO BAHADUR WAMAN RAV. M. KOLHATKAR.

Written answers relating to the Indian Civil Service.

37804 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The present system of recruitment for the Indian Civil Service by open competitive examination in England works, I think, as well as any human system can be fairly calculated to work. It gives, generally speaking, an efficient class of public servants, and the number of black sheep to be found in the Service is not at all extraordinary. I accept it as generally satisfactory in principle.

37805 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—The present system is, however, faulty in detail, inasmuch as it generally fails to produce competent District and Sessions Judges and District Magistrates. The reason is that in the scheme of the excellent general education given to Civil Servants, it is not possible to give them any but a superficial knowledge of civil and criminal law. The Civil Law is, like Medicine, a distinct and difficult branch of knowledge, requiring constant study of a lifetime to keep the knowledge up to date. The work which District and Sessions Judges have to do is very onerous and responsible, as these officers have to correct the mistakes committed by the Subordinate Magistracy and the Civil Judges and have therefore to decide difficult cases in which knotty points of civil and criminal law have to be considered and correctly settled. It is the proper administration of equal justice that has been, and ought to be, the pride of British rule; but it is only the High Courts that have up to now upheld this special character of the rule. The lower Civil Judges and Magistrates have been and are, with a few honourable exceptions, persons more or less ignorant of law, and as these are made to sit in judgment over trained and experienced Judges of Subordinate Courts, administration of justice in their hands has become more or less a matter of uncertainty. The alteration that I have to suggest is that two divisions—Executive and Judicial—should be made of the Indian Civil Service. Those who wish to take to the Judicial Branch of work should be separated before the examination from those who adopt the Executive Branch. Candidates of the Judicial Branch should be required to obtain a certain percentage of marks in the English Law and the Roman Law; and for the examination which takes place at the end of the period of probation they should be made to read along with the Indian Penal Code, the Code of Criminal Procedure and the Indian Evidence Act, Commentaries by Gour, Prinsep, and Woodroffe and Amir Ali on those three codes respectively. Their optional subject in this examination should be Hindu and Muhammadan Law. Those candidates who wish to adopt the Executive Branch should pass the final examination at the end of their probation period in the three codes and commentaries mentioned above. After the results of the Civil Service examination are declared, no interchange of officers from one branch into the other should be allowed. But each officer must be made to stick to the branch which he chose before the examination. The initial knowledge thus gained, supplemented by that required for the departmental examination in Civil and Criminal Law which every officer has to pass in India within, I believe, the first two years of taking up office, and also by the knowledge gained every day by the actual doing of case-work in court after the first six months which should be spent at the rate of three hours a day in watching alternately the court-work of an experienced Magistrate or Civil Judge, will give the Judicial Civil Servant a considerable proficiency in Civil and Criminal Law, care being taken that he is required to read for the departmental examination the Indian case-law as contained in the last five years' volumes of the Indian Law Reports of the High Courts. No Judicial officer should be appointed District and Sessions Judge until he has done criminal work in the subordinate courts for four years and civil work for five more years. The knowledge thus acquired must be increased during all this while by the reading of the case-law of the High Courts up to date, so that adequate competency may be gained in about ten years' time. Officers who take up the Executive Branch should pass the departmental examination in all the principal Criminal Acts (inclusive of those Acts and Commentaries which they have studied during their probation period) and should also be required to know all the criminal case-law as contained in all the Indian Law Reports of the High Courts of India. No executive officer should be made a magistrate of the district until he has done magisterial work in the subordinate courts for at least five years. Great patience and plodding industry are required for the accomplishment of the work required of the Judicial Civil Servants. The greater portion of the Indian Civil Servants are generally to be found lacking in these qualities, and self-love makes members, specially of the Executive Branch, when corrected, fall into the habit of passing light remarks upon the good work of the High Courts, not caring to learn that it is these High Courts, which they thoughtlessly condemn, which are the great British institution which has really endeared itself to the people as the bulwark of their liberties. Those therefore who indulge in the adverse comment ought to consider twice how they thereby make none but themselves odious to the people.

37806 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The system of recruitment by open competitive examination in England is not equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty. The expensive visit to England, and the still more expensive stay there for two or three years for the purpose of preparation for a difficult examination in a stiff

foreign tongue like the English, on the mere chance of passing that examination, are by themselves great disadvantages to Indians, and it is ordinarily only sons of the rich that can afford to undertake that visit and that stay. The number of such people must of course be small. Then there are some rare students who are so sure of their surpassing intelligence that they will not hesitate to borrow for the purpose of meeting the expense of the visit and the stay. But their number must be smaller still. So the system of recruitment by open competitive examination in England has the appearance of being devised specially for the purpose of preventing a large number of Indian candidates from appearing at the examination. The alternative, therefore, I recommend, is a system of a simultaneous examination in India which should be, in all respects, identical with the open competitive examination in England.

37807 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—The combination of the open competitive examination for the Home Civil Service with that for the Indian Civil Service is to the advantage of Indian interests. For by passing only one and the same examination admission is gained by the Indian students to the Home as well as the Indian Civil Service. But it is not to the advantage of Indian interests that the examination for the Colonial Civil Service should be joined with that for the Indian Civil Service, for the simple reason that Great Britain is powerless to enforce upon the Colonies the acceptance of Indian officers.

37808 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—As I do not consider the present system of recruitment by a competitive examination in England to be satisfactory in principle, I have proposed a simultaneous identical examination in India in answering question (3).

37809 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I recommend with all my heart a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty. To secure perfect equality in the status of the officers recruited in England and in India, I propose a simultaneous examination which is identical in all respects. The question-papers, the examination, the time of the examination and the age-limits of candidates in England and India should all be identical. There is no reasonable fear for a long time to come that the simultaneous examinations, if allowed, would have the effect of swamping the Service with Indian officers. For the two classes of candidates—English and Indian—have to start at the outset under unequal conditions, the latter having to overcome the very serious disadvantage of having to learn a difficult foreign tongue like the English in addition to getting up the several other subjects of the examination in a country like India, where the character of the education imparted is alleged to be so different from that of England. The aggregate number of the successful Indian candidates in England and India will not exceed, I think, a half of the total number of candidates passed in England, and such a result will certainly be long in coming. But if, contrary to all expectations, it comes sooner, it would be perfectly open to English statesmanship to devise means to prevent the apprehended swamping.

37810 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I do not recommend recruitment for a fixed number of vacancies in the Indian Civil Service cadre of Natives of India by means of a separate examination in each province or group of provinces in India. But I have proposed, as a tentative measure, in my answer to the next question, (8) a system of recruitment for one-fourth of the vacancies in that cadre.

37811 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I approve of the simultaneous examination and disapprove of the separate examination in India. I am not in favour of (*a*) nomination or (*b*) combined nomination and examination as a means to recruitment, for I am convinced that nomination is sure to lead in this country to favouritism, incompetency and heart-burning. Those in whose hands the patronage and nomination would lie are often persons who are more or less ignorant of the real state of the country, and undesirable nomination therefore is to a certain extent sure to be made by them. Examination first, and nomination afterwards, might improve matters a little bit, but those who must be passed over for the purpose of nomination in favour of other candidates who stand below them in the examination may have a just cause of grievance. If mere examination cannot give satisfactory results in all cases, nomination, too, is not likely to be free from that same adverse comment. There is, therefore, no reason to prefer recruitment by nomination, or by nomination and examination, to recruitment by the royal road of examination, which even in a country like England is found most suitable. Although I do not recommend a separate examination for the express purpose of recruitment for a fixed proportion of the vacancies in the Indian Civil Service cadre, I have to propose a method

of recruitment as follows:—I would, for the present, make the number of listed posts equal to, say, one-fourth of the (executive and judicial) posts belonging to the Indian Civil Service cadre, and fill the whole number of executive vacancies and half the number of the judicial vacancies from persons who have come up first in the year's LL.B. or B.L. examinations of the Universities of Calcutta, Bombay, Madras, Allahabad and Punjab. If there are more vacancies than five, I would fill them from among those five persons who stand second in the list of the successful candidates of that year at the same examination, and so on. I would fill the other half of judicial vacancies from distinguished members of the Bar of the Province to which the vacancies belong. It is no doubt desirable that all classes and communities should be represented in the appointments to be made to posts in the Indian Civil Service. But fitness is the criterion that should be looked to in the first instance. It may be that for some time members of a certain community or communities may not be able to get posts in any large number or even at all by way of a competitive examination. But before long healthy rivalry is sure to be excited among all communities who care to seek Government service, with the result that they will all gradually come to share in that privilege. Till that time it ought to be the bounden duty of Government to faithfully stick to the principle of fitness, and fitness alone. If it does so, one may almost be sure that it will incur no unpopularity on that account. Unpopularity is caused by devious ways and not by any straightforward course which is well understood of people.

37812 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—The present rule is that as many Natives of India as are able to pass the Indian Civil Service examination by open competitive examination in England should be allowed to enter that Service without any limit. This examination in England being found to be a great impediment in the way of the Natives of India, an identical examination in every respect is sought in India by Natives of India, who are further prepared to admit that the period of probation should be spent in England. At this competitive examination all Europeans, who are only statutory, and not real, Natives of India, are to be allowed to compete. So, what is prayed for is the creation of only one more centre for the examination. No advantage, is claimed by Natives of India which they are not prepared to share with Europeans, and therefore no advantage should be allowed to the Natives of England which they are not prepared to share with Indians. I therefore consider it but just that, although I am in favour of the part recruitment of the Indian Civil Service by a competitive simultaneous examination in India, Natives of India should still be eligible for appointment in England. It is a right which they would not lightly allow to be lost, especially as since the day the great enactment of 1833 was passed by the British Parliament there has been, in theory at least, no sacrosanct line of demarcation between any posts under the Government of India.

37813 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India" as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—I would regard the system of selection in India which I have described in my answer to question (8), and which I am prepared to recommend for young men who are Natives of India, as being in lieu of the present system of promoting to listed posts officers of the Provincial Civil Service. I have to recommend no alterations in the conditions governing the Provincial Civil Service.

37814 (11). Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—What I have to say in answer to this question has been already said in my answer to question (2). I do not recommend any separate method of recruitment for the judicial branch of the Indian Civil Service.

37815 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposal that you wish to make in regard to this matter?—I would alter the definition of the term "Natives of India" so as to include subjects of allied Native States of India and to exclude the children of parents one of whom at least was a permanent resident of the British Colonies which give no free admission to Natives of India into their territories.

37816 (13). If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons?—If the system of recruitment by open competitive examination in England is retained, I would recommend that the present age-limits for candidates at such examination be also retained. I consider it desirable that such a candidate should, if possible, become a graduate of an Indian or English University before he goes up for the Civil Service examination, and that he should have at least two chances for passing this examination. The Universities in India have now made it a rule that no candidate should gain admission to them unless he has completed his 15th or 16th year. So no one can become a graduate until he has completed his 19th or 20th year. The preparation for the Civil Service examination would take up at least two years more, so that it is only at the completion of his 21st or 22nd year that the candidate would be able to first present himself at the examination. The present age-limits, there-

fore, which are 22—24 years, should be left untouched.

37817 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—The most suitable age at which junior civilians recruited in England should commence their official duties in India is, in my opinion, 24 or 25 years. Before that age very few are able to understand the world and take a correct view of things.

37818 (15). What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India and for other natural-born subjects of His Majesty?—The age-limits for the open competitive examination in England should be the same for the Natives of India as for the Natives of the United Kingdom, and I have given my reasons for this view in my answer to question (13). 23 to 24 years is the age-limit that would best suit the Natives of India. I see no reason to recommend any differentiation between the age-limits for Natives of India and for other natural-born subjects of His Majesty.

37819 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—I would recommend small alterations in the authorised syllabus of subjects and marks prescribed for the open competitive examination. I would introduce the subject of Indian History and assign to it 500 marks. I would also assign 1,000 marks each to Sanskrit language and literature and Arabic language and literature. Sanskrit and Arabic are difficult languages, and seeing that the dead languages—Greek and Latin—are each assigned 1,100 marks, it is but just that Sanskrit and Arabic should each carry 1,000 marks.

37820 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates?—No differentiation in the subjects for the open competitive examination in England is desirable between Natives of India and other candidates.

37821 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—I do not consider it necessary that certain posts should be reserved, especially by statute, for officers recruited to the Indian Civil Service. All posts are now open to them.

37822 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—I do consider it necessary that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration. A proper portion of the higher posts included in the Civil Service cadre will of course go to the Natives of India who have passed the open competitive examination in England. I have already proposed one-fourth of the posts included in the Indian Civil Service cadre to be given to holders of listed appointments. Until the simultaneous examination is granted, it would both be premature and difficult to fix the proportion of the posts in the Indian Civil Service cadre to which Natives of India might properly be appointed. When the simultaneous examination comes in, the holders of listed posts may perhaps disappear from service altogether.

37823 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—I do not accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India.

37824 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—I do not consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived. It was a system of nomination, and nomination in any form is distasteful to me.

37825 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your Province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—The system of recruiting military officers in India for posts in the Indian Civil Service cadre did once exist in my Province. But I do not advise its re-introduction, as it is in my opinion unsuitable to the growing needs of the present days of settled government. The Indian Civil Servants are, I think, a better class of Civil Servants and are more suited to the present times.

37826 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—Until the simultaneous examination is granted, or the system proposed in reply to question (8) is introduced, the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts to which members of the Provincial Civil Service can properly be appointed, is not unlikely to be considered a good one. It gives the recipients of the listed posts a taste of the responsibilities of high office and promotes good feeling between the Provincial Civil Service and

the higher service. It creates a healthy rivalry between the two services and gives an object-lesson to make it clear that the promises contained in Parliamentary Statutes and Royal Proclamations are not merely vain words. The listed posts, however, come to the Provincial Service late in life, when energies generally commence to decline, and the treatment received from brother officers of the higher service is not of the best. There may be a latent feeling that the Provincial Service officer is after all only an interloper; but if it at present exists, it is sure to gradually wear away in course of time when the sight of persons admitted to listed posts becomes common. The number of listed appointments should be increased to one-fourth of the total number of appointments in the Indian Civil Service cadre.

37827 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one-quarter of the listed posts?—I shall be satisfied with the present rule that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one-quarter of the listed posts, only if it is restricted to recruiting from the Bar higher officers of the Judicial Service. I am prepared even to extend the rule to more than a quarter of the listed posts, if it is so restricted.

37828 (26). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—I am not satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service. The merging has resulted in my province in a reduction of the original salaries of some of the listed appointments within the limits of the salaries allowed to the Provincial Civil Service. When the salaries are so reduced, one forgets that he holds a listed post and the moral influence of it is gone. There were only two Small Cause Courts in the Central Provinces when these posts were held by Europeans. Their salaries were 1,000 and 800 rupees, respectively. But they have now been merged in the Provincial Civil Service, with the result that their present salaries are respectively 400 and 300 rupees only. The same is the case probably with the two appointments of Small Cause Court Judgeships in Berar, and yet these four posts are now, as formerly, shown separately in the Provincial Civil List, but forwhat purpose exactly it is difficult to see.

37829 (27). Is the class of posts listed suitable? If not, in what direction would you suggest any changes, and why?—The class of listed posts is suitable. But they are only six out of the total number (94) of appointments ordinarily held by the Indian Civil Servants in the Central Provinces. The number should be increased to one-fourth of that total number, and should include one post of Commissioner, one post of Excise Commissioner, one post of Secretary (Third Secretary) to the Honourable the Chief Commissioner, and one post of additional Judicial Commissioner.

37830 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—I do think that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service.

37831 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—I would give only one year's probation, as at present, to the successful candidates. Those candidates who have chosen the judicial branch of work should have the following course of study prescribed for their Final examination:—

	Marks.
1. The principal vernacular language of the province to which the candidate is assigned	400
2. Indian Penal Code with Gour's Commentary	400
3. Code of Criminal Procedure with Prinsep's Commentary	175
4. Code of Civil Procedure with O'Kinealy's Commentary	175
5. The Indian Evidence Act with Woodroffe and Amir Ali's Commentary	200
6. Mayne's Hindu Law and Amir Ali's Muhammadan Law	400

The candidates who take up the executive branch should pass in all these subjects except (4) the Code of Civil Procedure and (6) Hindu and Muhammadan Law. But they should read instead Indian History (with 300 marks) and Political Economy (with 275 marks).

37832 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty?—No differentiation is necessary between the course of study for probationers who are Natives of India and the course of study prescribed for other natural-born subjects of His Majesty.

37833 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—The probationers' course of instruction could best be spent in England, and this answer is equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty.

37834 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—I do not think it desirable to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian Services recruited in England.

37835 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of

instruction for the whole or portions of the first two years of service at some suitable centre?—I do not think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre.

37836 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—What I have to say about the training of junior officers of the Indian Civil Service has been already said in my reply to question (2) above.

37837 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—There has been deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service. There are now very few men who can freely converse in the Indian language of their district. The chief cause is that their Native subordinates in all grades of service have now sufficient knowledge of English to be good interpreters, and their number of visitors also is growing every day in a knowledge of English. They therefore naturally hate the labour of learning a vernacular thoroughly. Another cause is that they can now go oftener to Europe than formerly, and for all these reasons their proficiency in the study of the Indian languages becomes less and less every year. The withholding of his promotion until an officer is well able to talk the vernacular of his district fluently is perhaps the only way of removing the evil.

37838 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch?—What I have to say in respect of improving the knowledge of law of the Executive and Judicial officers of the Indian Civil Service has been all said above in my answer to question (2).

37839 (38). Do you recommend any special course of study in law in India for officers selected for the Judicial Branch?—Beyond what I have said in my reply to question (2) above, I do not recommend any special course of study in law in India for officers selected for the Judicial Branch. Law is a subject the study of which never ends. The knowledge of it has to be kept up to date by constant reading.

37840 (39). Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial Branch? If so, please give details?—I do not recommend any special training in subordinate judicial posts in India for officers selected for the Judicial Branch beyond what I have already said elsewhere in my answer to question (2).

37841 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No differentiation is necessary in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty.

37842 (41). If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited?—I have recommended the introduction of a scheme of direct recruitment in India for Natives of India, in the shape of a competitive simultaneous examination, as an addition to the system of recruitment in England. The period of probation and training for the successful candidates at the simultaneous examination should be two years in England. Those of the candidates who take up the Executive Branch of work should be required to pass the Final Examination in the following subjects:—

	Marks.
1. History and Geography of India	350
2. Political Economy	350
3. The most important vernacular language prescribed for candidates' presidency or province	400
4. Law:—	
(i) The Indian Penal Code with Gour's Commentary. (ii) The Indian Evidence Act with Woodroffe and Amir Ali's Commentary. (iii) The Code of Criminal Procedure with Prinsep's Commentary.	300
5. Case-law in criminal cases as contained in the Indian Law Reports of the High Courts in India	1,000

Those who take up the Judicial Branch of work should be required to pass only in the first fou subjects given above besides in the following:—

	Marks.
6. The Code of Civil Procedure with O'Kinely's Commentary. The Indian Law of Contracts The Transfer of Property Act The Hindu and Muhammadan Law Blackstone's Commentaries Austin's Jurisprudence. The Institutes of Justinian Mayne's Ancient Law Mackenzie's Studies in Roman Law Bentham's Theory of Legislation	1,000

The candidates belonging to both the Executive and Judicial Branches should be required to attend

the courts and supply the same detailed reports with an analysis and notes in each case which they were required to submit at the Final Examination of 1891.

37843 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—There is no differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent.

37844 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—I consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be absolutely abolished. The abolition should be restricted to future entrants.

37845 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the Service?—I approve of the arrangement by which the Statutory Civilians and officers of the Provincial Civil Services holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service. I however make exception in the case of Judges of High Courts, Chief Courts and Judicial Commissioners' Courts, and of officers holding all posts above those of Commissioners of Divisions.

37846 (49). Have you any proposals to make in regard to the leave rules applicable to Statutory Civilians, and to members of the Provincial Civil Services holding listed posts? In particular do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—No privilege leave, for whatever period, which a Statutory Civilian or member of the Provincial Civil Services holding listed posts has been allowed, or been compelled, to accumulate, should be allowed to lapse.

Written answers relating to the Provincial Civil Service.

37847 (51). Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable; or have you any recommendations to make for their alteration?—I think it desirable that no European, who is not a statutory native of India, should even, if qualified under the Resolution of the Government of India, No. 1046—1058, dated Simla, the 19th August 1910, be considered under Rule VI to be eligible for appointment to any post in the Provincial Civil Service or at least to any of the listed posts granted to the Provincial Civil Service. There is always possibility of a temptation to appoint a European to these posts, and great heart-burning is the result.

37848 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your Province suitable, or have you any recommendations to make for their alteration?—I have to make the following recommendations for the alteration of the rules for the recruitment of the Provincial Civil Service:—Rule (1) (i) I have to express the same wish as I have already expressed in relation to rule (vi) in the answer to the previous question (51). Rule (3) Delete all the words after the word "University." There is no useful purpose served by making concessions in favour of the advanced classes of Europeans or Eurasians who ought to come into service by dint of merit alone and not by a back-door. It is only fair that they should be expected to pass the examination of B.A. or B.Sc., which is considered necessary in the case of members of less advanced communities. In the case of candidates for munsifs' and sub-judges' posts, the LL.B. or B.L. examination ought to be considered necessary. II. Indirect appointments. I think that no officer of the Subordinate Civil Service or of the Police Service or of other Departments may be made a sub-judge or munsif unless he has passed the LL.B. or B.L. examination besides B.A. or B.Sc.

37849 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the Province to which it belongs?—I think that recruitment for the Provincial Civil Service should ordinarily be restricted to residents of the Province to which it belongs.

37850 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—All classes and communities who generally seek Government service, such as Hindus, Muhammadans, Christians and Parsis, are duly represented in our Provincial Civil Service. This is of course desirable: and the time has now come when, in the interests of thorough efficiency, the prescribed educational tests should be strictly enforced in the case of all future candidates.

37851 (55). Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service?—I am satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service.

37852 (56). Do you consider that the numbers of officers authorised for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—The present numbers of officers authorised for the various grades of the Provincial Civil Service in the

Central Provinces are in my opinion not satisfactory. The numbers authorised for (I) the Executive Branch of the service are as follows :—

	Rs.
2 Extra Assistant Commissioners of the 1st grade, drawing each a salary of . .	800
3 Extra Assistant Commissioners of the 2nd grade, drawing each a salary of . .	700
6 Extra Assistant Commissioners of the 3rd grade, drawing each a salary of . .	600
14 Extra Assistant Commissioners of the 4th grade, drawing each a salary of . .	500
24 Extra Assistant Commissioners of the 5th grade, drawing each a salary of . .	400
24 Extra Assistant Commissioners of the 6th grade, drawing each a salary of . .	300
14 Extra Assistant Commissioners of the 7th grade, drawing each a salary of . .	250
12 Extra Assistant Commissioners of the 8th grade, drawing each a salary of . .	200
99 Total.	

There is a Subordinate Executive Civil Service under the Executive Branch which consists of 83 permanent and 43 officiating Tahsildars of four grades as follows :—

	Rs.
10 Tahsildars of the 1st grade, drawing a salary of	250 each
15 Tahsildars of the 2nd grade, drawing a salary of	200 „
24 Tahsildars of the 3rd grade, drawing a salary of	175 „
34 Tahsildars of the 4th grade, drawing a salary of	150 „
83 Total.	

24 officiating Tahsildars of the 4th grade drawing some a salary of Rs. 125 and some of Rs. 139.

The numbers authorised for (II) the Judicial Branch of the service are as follows :—

	Rs.
2 District Judges of the 1st grade, drawing each a salary of	800
3 District Judges of the 2nd grade, drawing each a salary of	700
5 District Judges of the 3rd grade, drawing each a salary of	600
5 District Judges of the 4th grade, drawing each a salary of	500
17 Sub-Judges of the 1st grade, drawing each a salary of	400
17 Sub-Judges of the 2nd grade, drawing each a salary of	300
49 Total.	

The Subordinate Civil Service under this Branch consists of—

	Rs.
12 Munsifs of the 1st grade, drawing each a salary of	250
16 Munsifs of the 2nd grade, drawing each a salary of	200
22 Munsifs of the 3rd grade, drawing each a salary of	175
24 Munsifs of the 4th grade, drawing each a salary of	150
12 officiating Munsifs drawing some a salary of Rs. 139 and some of Rs. 125.	

A glance at these figures will suffice to show that it is difficult for—

	Rs.
(*a*) the last of the Extra Assistant Commissioners of the 7th and 8th grades to reach the grade of . . .	400 in 20 years.
(*b*) the last of the Extra Assistant Commissioners of the 6th grade to reach the grade of	500 do.
(*c*) the last of the officiating Tahsildars to reach the 2nd grade of . .	200 do.
(*d*) The last of the Tahsildars of the 4th and 3rd grades to reach the 1st grade in 20 years.	
(*e*) the last of the Sub-Judges of the 2nd grade to reach above the 4th grade of District Judges in 20 years.	
(*f*) the last officiating Munsif to reach even the 2nd grade of Munsifs in 20 years.	
(*g*) the last of the Munsifs of the 4th grade to reach the 1st grade in 20 years.	

The state of things therefore should be remedied by making due alteration in the figures which admit of change. It ought to be possible for a smart and diligent officer to rise pretty high in the service by the time he reaches his 45th year. There is little or no use in fixing high the salaries in the higher grades of the service if those salaries are almost as good as unreachable by members of the lower grades. The name "District Judge" is only honorific if the persons, who are honoured with that name, do not get the higher pay of the appointment in the other Provinces. The best solution of the difficulty shown above is perhaps to provide a time-scale pay to officers until they reach a pay of Rs. 500 a month.

37853 (57). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—The officers of the executive branch of the Provincial Civil Service in the Central Provinces still do the criminal part of the judicial work. But in other respects, the functions of those officers and the functions of the officers of the judicial branch are entirely different. I think that the officers of the Executive Branch should be relieved entirely of all the judicial work, if strict impartiality in criminal work is a desideratum. It will cost but trifling additional expenditure to make the change.

37854 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-1887, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I accept as suitable the principle that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed. But I consider that the dignity of the posts should also be taken into consideration in fixing the salaries thereof.

37855 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—The existing rates of pay in the Provincial Civil Service of the Central Provinces are generally adequate to secure the desired qualifications in the officers appointed.

20th March 1913.] RAO BAHADUR W. R. M. KOLHATKAR. [*continued.*

But the existing grading is not satisfactory. Munsifs, who are all with an insignificant minority well-educated people, being double graduates in Arts and Law, and who do the same kind of work as is done by members of the Provincial Civil Service, should all be included in the Provincial Civil Service, and their 3rd and 4th grades of Rs. 175 and Rs. 150 respectively should be abolished. Munsifs of Rs. 250 and Rs. 200 grades are included in the Provincial Service in Madras, Bombay, Bengal, United Provinces and in Bihar and Orissa; and some time ago, officers of the grade of Rs. 250 were included in the superior Provincial Service even here in the Central Provinces. Even now Extra Assistant Commissioners of the 7th and 8th grades (*i.e.*, of Rs. 250 and Rs. 200 respectively) here are included in the superior Provincial Civil Service, and therefore I see no reason to exclude from that service such a well-educated class of Judges as Munsifs. There has lately been a steady rise in the prices of all commodities and a decent living therefore now-a-days costs much more than formerly. Munsifs are required to live according to a certain respectable standard, and that standard it is difficult to keep up unless one gets a minimum salary of Rs. 200. They are, besides, all Civil Judges who are required often to decide cases in which property of a large value is concerned, and it is desirable therefore that they should get a salary which will keep them above the temptation to corruption. For all these reasons, I consider that their grades of Rs. 175 and Rs. 150 should be abolished, and that they should all be included as Sub-Judges in the higher Provincial Service. Though Tahsildars are not so well educated as Munsifs, still they are all magistrates and have to decide cases in which sometimes the reputation of respectable persons is concerned; and as they too, like Munsifs, are required to live according to a certain respectable standard, I recommend that their third and fourth grades of Rs. 175 and Rs. 150 respectively should also be abolished. The numbers in the several grades of District Judges and of Sub-Judges should be increased. Two or three more grades of Sub-Judges should be made and they should absorb all Munsifs.

37856 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I do approve of the arrangement by which officers of the Provincial Civil Service, holding listed posts, draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service.

37857 (62). Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular do you segard the existing differences between the leave rules for the European and Indian Services as ruitable?—The only proposal I have to make about the leave rules applicable to the Provincial Civil Service is that privilege leave, accumulated to any length of time, ought not to be allowed to lapse. At present that leave is sometimes denied to officers on the ground of exigencies of the service, and it often lapses for no fault of their own.

37858 (63). Are you satisfied with the present system of superannuation pensions for officers of the Provincial Civil Service? If not, please say what modifications you would suggest, and on what grounds?—Members of the Judicial Branch of the Provincial Civil Service and Munsifs should be allowed full pension after a service of 25 years. They are a hard-worked lot and often fall a prey to diseases like diabetes and insomnia. They may, if they wish, be allowed to work longer up to 30 years, but as a general rule they should be given full pension after 25 years' service.

37859 (64). Are you satisfied with the existing organisation of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—I am not satisfied with the existing organisation of the Provincial Civil Service. But I have said all that I have to say in answer to this question in my answer to question (60).

37860 (65). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—In official documents Munsifs and Tahsildars should all be mentioned with the title of "Mr." prefixed to their names. The present style of mentioning them without that prefix is very nude and excites just resentment. Being all such important officers as Judges or Magistrates, I think they are fairly entitled to the courtesy I beg to recommend.

RAO BAHADUR W. R. M. KOLHATKAR called and examined.

37861. (*Chairman.*) Can you tell us what public positions you occupy?—At present I am a pensioner, but I was a Divisional Judge and retired as Small Cause Court Judge.

37862. How many years were you in the Service?—Twenty-five.

37863. I understand you would like to see simultaneous examinations established?—Yes.

37864. Do I understand that the proposals you make in your answer to question (8) are what you would like to see in the event of simultaneous examinations not being established?—Yes.

37865. I gather that you would abolish the present system of listed posts and would establish a whole set of appointments by various forms of recruitment into the Indian Civil Service?—Yes, by only one examination.

37866. In your answer to question (8) you say: "I would for the present make the number of listed posts equal to one-fourth of the Executive and Judicial posts belonging to the Indian Civil Service cadre, and fill the whole number of Executive vacancies and half the number of Judicial vacancies from persons who have come up first in the year's LL.B. or B.L. examinations of the

Universities of Calcutta, Bombay, Madras, Allahabad, and the Punjab." That is your form of recruitment?—Yes.

37867. How would you select from the LL.B.'s and B.L.'s?—I would take the first five from each University, and if there are more vacancies, then the second five, and so on.

37868. You would fill the other half of the Judicial vacancies from distinguished members of the Bar?—Yes. Supposing there are twenty vacancies, ten Executive and ten Judicial, I would fill ten Executive vacancies and five Judicial vacancies from University men, and the five that remain would be given to the Bar.

37869. All these candidates would then be members of the Indian Civil Service?—They would get listed posts.

37870. Then they would not be members of the Indian Civil Service?—No.

37871. So that what you want is an extension of the present listed post system?—Yes.

37872. The difference being that, whereas at present the listed post officer is promoted from the Provincial Civil Service, under your scheme no officer would be promoted from the Provincial Civil Service?—Yes.

37873. Have you thought what effect that would have upon the Provincial Civil Service?—Another class of people will get the appointments.

37874. But what I want to know is what effect you think it will have upon the Provincial Civil Service?—The Provincial Civil Service will not have any right to complain.

37875. Do you not think it will discourage the members of that Service to withdraw from them all their prizes?—In that way it might.

37876. You are very strong against the principle of nomination, but you would select from the Bar?—To the extent of one-fourth.

37877. Would not that be a form of nomination?—Yes.

37878. You have alluded to the overwork of certain classes of officers. How many years have you left the Service?—Eight years.

37879. I suppose you have been watching the Service during the years that have elapsed?—Yes.

37880. Do you think the officers in the Service are being worked much harder now than they were in your time?—They were also worked hard in my time.

37881. I am not suggesting they were not, but I want to know whether you think they are being harder worked now?—I cannot say that.

37882. You think that the pay of the Provincial Civil Service should be improved?—Yes, in regard to Munsifs and Tahsildars. I would abolish the grades of Munsifs and Tahsildars drawing Rs. 175 and Rs. 150.

37883. I am dealing with the Provincial Civil Service, not the Subordinate Service. Would you like to see the improvements of salary for officers in the Provincial Civil Service?—No. I have not said that their salaries should be raised.

37884. Would you like to see promotion made more rapid?—I do not want any promotion beyond Rs. 800 for the Provincial Civil Service.

37885. You suggest that the best solution of the difficulty of the block in pay would be the establishment of a time-scale?—Yes.

37886. You would establish a time-scale up to Rs. 500 a month?—Yes.

37887. Would you suggest any alterations in the grades beyond Rs. 500?—No.

37888. We have had a good deal of evidence in regard to the pay of the Munsifs, and I should like to know if you have anything to say on that?—I have said that they should be graded in the Provincial Civil Service, and that their last two grades should be abolished.

37889. What should be the lowest pay of the Munsif?—Rs. 200.

37890. You say that officers who go into the Executive Branch should pass the departmental examination and should also be required to know all the criminal case-law, etc. I gather from this that you assume that officers in the Executive line should still continue to exercise magisterial functions?—Yes.

37891. Then you suggest that officers of the Executive Branch should be relieved entirely of all Judicial work. I do not quite understand what you mean by your first remark in answer to question (2) when taken in connection with your answer to question (57). You distinctly suggest in your answers to question (2) that magisterial functions shall still be performed by Executive officers?—In answer to question (57) I have simply stated that if separation is to take place then they should be relieved entirely of Judicial work.

37892. But you do not suggest that in your answer to question (2)?—No.

37893. You rather suggest there that they should continue to exercise magisterial functions, only further training should be given to them?—I have not given this answer in connection with that question.

37894. But they both deal with the same subject?—Under the present circumstances, as long as there is no separation.

37895. Assuming that there was no change, you would like to see Executive officers given more training in Judicial work?—Yes.

37896. (*Lord Ronaldshay.*) You have suggested that one-fourth of the Indian Civil Service posts should be listed and should be filled direct by graduates in Law from the five Universities. Do you think that these men would be better qualified to carry out these administrative duties than men who have passed a period of training in the Provincial Service?—That applies also to the people who have been taken into the Civil Service.

37897. I understand you propose to appoint these graduates direct into posts which carry with them large administrative responsibilities?—They should be prepared for those posts.

37898. Do you not think that men who had already passed a number of years in the Provincial Service, training in administrative and executive work, would be better qualified to carry out those duties than young graduates coming direct from the Universities?—No doubt, but they will be very old when they get those posts.

37899. They need not be very old if you select them young. Do you not think the Provincial Service is a very fine Service, and that the Officers in it are carrying out a very important work in the administration of the country?—Yes.

37900. That being so do you not think it would be better to do something to add to the prospects of this Service rather than to do something to detract from the prospects of the Service?—My objection is that these people become very old before they get the new appointments and are not able to work hard enough in them.

37901. Supposing it was suggested that the men should be selected from the Provincial Civil Service at a younger age than at present for the listed posts, do you not think that would be a better system than the one suggested by you?—It may be.

37902. It would encourage the Provincial Service and raise the whole status of the Service, would it not?—Yes.

37903. And that would be better than doing anything to lower the status of the Provincial Service?—Yes.

37904. (*Sir Theodore Morison.*) In your answer to question (6) you say: "If contrary to all expectations it comes soon"—that is to say the increase of Indians in the competition—"it would be perfectly open to English statesmanship to devise means to prevent the apprehended swamping." What are the means that can be devised?—I have not thought of any, but another Commission might do that work.

37905. Instead of putting it on to English statesmen why not show now what can be done?—I have not considered that question.

37906. (*Mr. Fisher.*) You recommend that Munsifs should be included in the cadre of the Provincial Service. Would you also propose that Tahsildars should be included in the cadre of that Service?—No; they are not so very well educated.

37907. You draw a distinction?—Yes.

37908. There would be no grievance you think among the Tahsildars if the Munsifs were treated as Provincial Officers and they were left behind?—I do not think there would be any sense of grievance.

37909. (*Mr. Sly.*) I want to understand a little more clearly your idea of a separate Service in India for one-quarter of the Indian Civil Service posts. I understand that you wish to take away a quarter not only of the superior posts but of the inferior posts and form them into a separate service which would be recruited partly by the results of the University examinations and partly from the Bar in connection with the Judicial?—Yes.

37910. You recommend that a man who stands first in the LL.B. examination of each University should *ipso facto* have the appointment?—Yes.

37911. You would not allow any discretion to Government in the matter: the first man on the list must get in?—Yes.

37912. Is that fair in regard to all Universities? Are not some Universities much larger than others, with a much larger number of candidates?—I think it would be fair to all Universities.

37913. Although there may be a thousand LL.B.'s from one University and a hundred from another, that does not matter?—No.

37914. Do you propose that these people should be posted to any part of India or do you wish that the men should be employed in the Province governed by that University? May a man be posted to any part of India or must he be posted within the Province, say, of the Allahabad University?—Within the Province of the Allahabad University.

37915. You wish them restricted to their own Province?—Yes.

37916. Is there any limit of age for the LL.B. examination?—I do not know.

37917. Even if a man passes out first at 50 years of age would you still put him into Government Service?—They appear at 20, 21 or 22.

37918. But there are a good many old men who get in?—There must be some limit.

37919. Would you not require that a candidate must at least have passed a medical examination before he is appointed?—Yes.

37920. Would you require any certificate of character, or no matter what his character was, would the man who passed first get in?—His character certificate is given before the examination.

37921. You do away altogether with the qualification of three years' practice at the Bar in respect of these students. As soon as they pass they are to go into the special service?—No. The persons who are to be recruited from the Bar ought to have some practice.

37922. But the persons who are to be recruited from the Universities, the LL.B.'s, will have no practice at the Bar?—No.

37923. Personally you do not place much reliance on practice at the Bar as a method of recruitment for the Service?—No.

37924. You would prefer to see them coming in direct?—Yes.

37925. (*Mr. Chaubal.*) Am I right in supposing that you are a social reformer in these Provinces?—Yes.

37926. May I ask you whether, from your experience, you do not find the old rigidity of distinction between castes is fast disappearing in this Province?—Yes; it is very much improving.

37927. (*Mr. Thakur.*) Is it not your experience that the cost of the necessaries of life and education and all such things has very much increased in these Provinces?—Yes.

37928. Are you also aware that in the contiguous Province, the United Provinces of Agra and Oudh, the pay and prospects of the Provincial Service have been improved?—I do not know.

37929. If they have been, do you not think that the Provincial Service in these Provinces should be placed on the same footing as they are?—Yes.

37930. You were in a listed post before retiring, I suppose?—Yes.

37931. Do you not think the change from the emoluments you received from those posts to the reduced income of a small pension causes some difficulty in maintaining the same standard of life?—Yes.

37932. Do you think that the same pension would do for the man who has been in a listed post or should there be some improvement in it?—There should be some improvement.

37933. Do you regard the present pension for officers of the Provincial Civil Service as sufficient?—Yes.

(The witness withdrew.)

[Adjourned to Patna.]

LIST OF APPENDICES.

PAGES

I.—Note by the Hon'ble Sir Benjamin Robertson, K.C.S.I., C.I.E., I.C.S., Chief Commissioner, Central Provinces and Berar, for the Royal Commission on the Public Services in India 300

II.—Letter from the Central Provinces and Berar Commission Association to the Joint Secretaries to the Royal Commission 301

III.—Officials, Non-Officials, and Associations in the Central Provinces who, at the request of the Royal Commission, furnished written answers to the interrogatories printed on pages v—xxxviii of this Volume, but who were not orally examined . 310

IV.—Officials, Non-officials and Associations in the Central Provinces who furnished written answers to the interrogatories printed on pages v—xxxviii of this volume in response to a notification published in the *Central Provinces Gazette*, but who were not orally examined 311

APPENDIX I.

Note by the Honourable Sir BENJAMIN ROBERTSON, *K.C.S.I., C.I.E., I.C.S., Chief Commissioner, Central Provinces and Berar, for the Royal Commission on the Public Services in India.*

Paramount necessity of security of British rule.

One of the matters on which the Royal Commission has been directed to report is "Such limitations as still exist in the employment of non-Europeans" in the Public Services in India. By far the most important question in this connection is the manning of the Indian Civil Service, on which to a great extent depends the efficient administration of the country and the strength and stability of British rule. In my opinion it is essential that there should be a limitation of the employment of non-Europeans in the governing body, and I consider the time has come, in view of the demands that are being put forward, when such a limitation should be definitely affirmed. It is unnecessary to labour the paramount necessity of British rule for India. Let Britain withdraw from India, and the country would relapse into chaos. Even if internal dissensions amongst her varied populations ceased, she would always be open to be exploited by the more hardy races of mankind. And from this she would not be saved by the mental subtlety of a certain portion of her indigenous population any more than she has been saved from invasion and foreign domination in the past.

Essentials for maintenance of British rule.

2. If then British rule is to be maintained, we should consider the essentials to its maintenance. These are:—

First, the British army;

Second, the preponderance of the British element in what I may perhaps call the "security" services. Amongst these I would class the Civil Service, the Police, Railways and Telegraphs. In the services which are not primarily essential for "security," engineering, forestry and the like, there is no call for such preponderance. The principle involved in connection with these is the duty Britain owes to India to give her a good government, and the extra efficiency of the European then comes in. Such good government is necessary to secure the—

Third essential, the goodwill and contentment of the people.

Element of discontent.

3. Now, in connection with this latter, the argument has to be met that the people are discontented when they see important posts kept in the hands of Englishmen, such as the posts in the Indian Civil Service. A certain small proportion of the population are discontented with this, and I for one do not fail to appreciate the grounds of their discontent. But the great bulk of the people, at any rate in these Provinces, prefer to have British officers to rule them and are keenly alive to the necessity for maintaining British supremacy. There are persons, however, although many of them also wish the continuance of British rule, who ask for a change and press for a new order of things. These persons admittedly form an important element, namely the highly educated classes. When they ask for this new order, an order which must ultimately result in the permanent weakening of British rule, do they clearly appreciate what the effect would be of the withdrawal of British security? The answer I would give to them is that they are the very people who have most to lose by that withdrawal. The cultivator, though he might be plundered, would not suffer such an overwhelming *débâcle* as would the professional and commercial classes. The former especially would be the first to disappear. And they themselves know it. In return for the protection which they enjoy and the wealth which they are amassing through the security of British rule, they must understand that this security must be maintained whatever the cost, and to them the cost must be the sacrifice of some of their ambitions to fill high posts in the services with which is bound up the maintenance of this security.

The Queen's Proclamation.

4. But it may be said, what becomes of the Queen's Proclamation, if this view is held? My answer is that the Queen's Proclamation must be read subject to this essential condition, *viz.*, the firm maintenance of British rule. Indians should be admitted to high posts in the "security" services, as they are at present. But there must be no idea that these services can be equally well monopolised by Indians, as would be the ultimate result of certain proposals which have been placed before the Commission, particularly the holding of simultaneous examinations in England and India for the Indian Civil Service. It is impossible to contemplate any such schemes, unless the essential of maintaining the predominance of the European element in the Indian Civil Service is first determined. This done, let the Queen's Proclamation have due weight, and let there be no bar to Indians getting a proportion of the posts in the Service and filling the highest offices it contains.

Preponderance of European element in the Indian Civil Service should be affirmed.

5. I consider it essential that the Royal Commission should place in the forefront of their recommendations the maintenance of this important principle. On more than one occasion the Government of India have expressed their preparedness to take steps to prevent an unduly large influx of Indians into the Indian Civil Service. The appointment of the Royal Commission makes it most desirable that a declaration on the subject should be made now. Let it be made clear that unlimited entrance of non-Europeans in the Indian Civil Service and employment of non-Europeans in posts which that Service is recruited to fill is beyond the bounds of practical politics. To depart from this principle is impossible, without increasing the first essential to security, *viz.*, the British Army in India, and without gravely affecting the third essential, *viz.*, the contentment of the people. Whether on such a recommendation of the Commission, if made, the Government would lay down the limits of admission of non-Europeans to the governing body is a matter for separate consideration. What is required is that the principle should be definitely affirmed. And in making

the declaration it might be stated that a much stronger European element is required in the administrative ranks than in the judiciary. I hold very strongly that the European element is necessary in the latter to maintain British principles of dispensing justice, but the well-known aptitude of Indians for the law makes it feasible to give them a greater share in its administration than in the work of governing proper.

6. It may be pointed out in connection with the limitation on the number of posts that may be held by non-Europeans, that there is already a precedent for declaring that appointments may not be given to persons without distinction of race. I refer to Article 773 of the Civil Account Code, which lays down that no person other than a Native of India is to be appointed to an office carrying a salary of Rs. 200 a month or upwards, outside certain stated services, without the previous sanction of the Governor-General in Council. I know that in the exercise of this control, the Government of India in the Home Department rigorously scrutinise such appointments and that the rule is closely observed that appointments whenever possible should be conferred on Natives of India.

7. In the case of the Central Provinces, with a primitive population, I regard the necessity for a strong European element at the existing stage of development to be particularly essential. At the present time five out of the 22 districts are held by Natives of India, and I think the proportion is unduly large. But when the Central Provinces took over the administration of Berar, a considerable number of Indian officers came in. Several of the Indian officers of the Berar Commission were disposed of at the time, but others remained on and have to be provided for. In connection with the employment of Indians my predecessor, Sir Reginald Craddock, in a Resolution, dated the 2nd August 1911, after reviewing the subject in a passage which will be brought to the notice of the Commission, remarked as follows :—

"The only comment that can be made on these figures is that the progress has been, if anything, too rapid rather than too slow. It is far more rapid than anything that could be shown by large banks or business houses who are certainly not in the habit of employing needlessly expensive agency. It is the greatest fallacy to deduce from the fact that there are to be found in India many distinguished and talented Indians of first rank that the general average of Indian efficiency has yet reached European standards."

As I have said the addition of Berar affected the situation in the Central Provinces, but I agree with Sir Reginald Craddock that the progress has been almost too rapid.

Methods of recruitment.

8. If a declaration is made that there must be a limitation on the number of Indians admitted to the Civil Service, the question of methods of recruitment is not so important as if their admission were in future to be uncontrolled. But I am in favour of the retention of the existing method, *viz.*, recruitment through the open competition in London. This method is not without its drawbacks, but I believe it to be the most satisfactory that can be devised. It has given generally satisfactory results in the past, and to substitute for it any system of selection would not only be opposed to the democratic spirit of the times, but would almost certainly be found very difficult to work.

9. It cannot be said that the present system is equally suitable for the admission of "Natives of India." The system is based on the theory that the competitors will be endowed with certain qualities required for successful administration—qualities which are inherent in the British character and are brought out by the British system of training. By applying it to Natives of India one or both of these conditions are not fulfilled, and even if the latter is to a certain extent complied with, it involves sending the Indian boy to a foreign country at an impressionable age, when, if he is not properly looked after, evil instead of good may result and he may in any case fail to profit by his British surroundings. There is also the question of expense. I am not unmindful of these drawbacks. But I consider that the benefit of a British training outweighs them. With the steps that have been recently taken for safeguarding Indian youths studying in England, the objections to their having to leave their country for the purpose of such study have to a certain extent been met, and their English training will give them something of that British grounding which it is our object to secure. On the ground of expense also, conditions have changed much within the last few years. There has been a great increase in the wealth of the professional and commercial communities in India, and Indians go to the United Kingdom in considerable numbers to study for the Bar and also to qualify as engineers and doctors. I believe that the number of Indian students in the United Kingdom is now about 1,700, and the result of the recent open competition at which Indians gained seven places out of 46 shows that the question of expense is not what it once was.

10. I am not therefore in favour of the holding of simultaneous examinations in England and in India for admission to the Indian Civil Service. I would remark that the proposal which has more lately been made that Indians who pass an examination in India should be sent home for a period of three years' training would not in my opinion attain the object in view, namely, the advantages to be derived from an upbringing in England at an earlier age, despite the drawbacks which such an upbringing may possibly entail to the Indian student. I am also opposed to the suggestion which has been made that Indians should be nominated for appointment to the Civil Service and sent home to England with a Government scholarship to pass three years in study at a University. In addition to the objection just mentioned, there is the further one that men thus recruited would be looked upon by members of the Service who had entered through the open competition door, whether Europeans or Indians, as of a different and inferior stamp. The Indian members of the Service at present serving in the Central Provinces are accepted by their European fellows as in every way their own equals, and it is of the highest importance that this feeling of *esprit de corps* should be maintained and that backdoors for admission to the Service should not be opened. I would therefore confine admission to the Service entirely to the open competition in London.

11. I have no remarks to make about the details of the present system except that from experience of the recruits who have, in the course of the past few years, come to the Central Provinces, I consider that the examination for physical fitness should be much more rigid than it is at present. The subject is one which is to some extent connected with the question of the age-limits for admission to the Service. I shall be able to give the Commission an account of the inconvenience which has been caused to the Administration by the failure of quite a large proportion of the recent recruits in the Central Provinces from the physical point of view. At the present moment there is difficulty in obtaining an officer of suitable standing for the appointment of Assistant to the Commissioner of Settlements, a post which requires much travelling, because such a number of the young men are unable to undertake strenuous touring. I am decidedly of opinion that the medical test should be made much more stringent and that a fairly high standard of physical fitness should be insisted on apart altogether from the question of freedom from constitutional disease.

12. I do not consider that any separate method of recruitment for the Judicial Branch of the Indian Civil Service should be adopted. In dealing with the question of listed appointments I shall have some further remarks to offer regarding the filling of Judicial posts, but I hold that a substantial proportion of these posts should be reserved for members of the Indian Civil Service. It is admitted that in the past Indian Civil servants have made capable Judges—thanks to their early training and acquaintance with the people. If further steps were taken to improve their knowledge of law and to secure that they spend a portion of their earlier service in subordinate Judicial posts, their fitness as Judges would be still further enhanced. I believe that separate recruitment from the Bar for the Judicial Service would present many difficulties. Holding as I do that a European element in the Judicial Branch is necessary to maintain British principles of administering justice, I would observe that, if the suggested alternative were adopted, this European element would only be obtained from the failures of the English Bar, and the men thus recruited would further be too old to learn Indian conditions. If the Judicial Service were separately recruited as proposed, there would be a certainty of antagonism between the two Services which would have a disastrous effect on the peaceful development of the country. The administration of the Criminal law would certainly suffer, as is in fact sometimes the case at present when officers who have had an entirely Civil Judicial training are appointed Sessions Judges. It is of the utmost importance for the peace and well-being of the country that there should be sound administration of Criminal justice, and I cannot but believe that a Judiciary recruited from the Bar would show still further divergence in this respect between what obtains even at the present day in the punishment of criminals in England and in India. In Indian Courts the evidence which the Judge has to go on is notoriously less trustworthy than is the case in England, but the way in which criminals are often allowed to go unpunished in this country would not be tolerated by public opinion in the United Kingdom. It is of the utmost importance that nothing should be done which would further interfere with the repression of crime by the Courts, and I am convinced that, without the example set by strong and capable English Judges, who can only be obtained through the Indian Civil Service, the administration of the Criminal law in India would suffer with untoward results to the good government of the country.

Recruitment for the Judicial Service.

13. The question of the limit of age to be fixed for the open competition is one of much difficulty. In favour of an early age is the fact that the recruit arrives in India at a time when he can best adapt himself to Indian conditions and be most suitably trained in his official duties. An examination later in life enhances the risk of failure, since failures at an advanced age cannot readily turn to other pursuits. If a higher age is adopted, the candidate secures the benefit of a University career to complete his education, and with the change that has taken place in India there is greater need for maturity of judgment and sense of responsibility in young men starting on their Indian career. On the other hand judging from my own experience I do not think that the men who come out to India at the present advanced age are as satisfactory as those who came out at an earlier age. Allowance must be made for the unpopularity with which the Service has recently come to be regarded because of the decline in the prospects of the Civilian. But the fact remains that the standard has in my opinion fallen off. And I do not believe that the improvement of prospects would alone redress the balance. At present we get a considerable percentage of men who, having completed their University course, enter the Indian Civil Service, not because they care for the career but because they have nothing else to turn to. Arrived in India these men at the time of life they have reached do not care for the petty details of work they are put to. They are too old to go through the mill, their sense of discipline is not what it should be, and they do not settle down contentedly.

The age-limits.

14. I have no hesitation in saying that, taking the average recruit, you can turn him into a better officer if you catch him young. And by the time he has undergone his two years' training,—for this purpose the officer under whom he is placed should be carefully selected—I am of opinion that he should be fit to undertake the responsibilities of present day administration in India as well as, if not better than, an older man who has fretted at the trivial nature of his earlier duties and perhaps failed to imbibe the true spirit of the Service. To my mind the best age for the young Civilian to arrive in India is 22. And as I am in favour of a two years' course of probation in England—the present one year's course is, I consider, little better than a makeshift—I would fix the competition age at 18 to 20 years. At this age the candidate can have completed a Public School education, and he can adopt an Indian career for its own sake without waiting to see whether something better may not turn up and taking to India only as a last resort. But as I have said, it is on his arrival in India that I consider the chief advantage accrues from having the younger recruit. And it is this which weighs most with me in suggesting that a much earlier age than the present should be fixed.

15. Against the proposal it may be urged that the younger age-limit is not suited for the Natives of India, although Indians gained admission to the Service when the age was 17—19, and the Government of India recently expressed the view that the reduction of the age to 20—22 might result in the Indian element among the successful candidates becoming too large. If unfairness to the Indian candidate is likely to result from the change which has been proposed, I do not consider that it would be impracticable to give him a separate limit of age, say 19—21, although I should prefer to see the same limit kept for all candidates, at any rate until a fair trial had been given to the new system.

Period of Probation.

16. I am in favour of the period of probation in England being fixed at two years—less than this is useless for the purpose in view, *viz.*, the training of the successful candidate in law and languages and in other subjects which would be of use for his Indian career. The period of probation should be spent at a residential University: I would myself confine the period of probation to residence at Oxford or Cambridge. The probationer should receive an allowance of £200 a year, and I should encourage probationers to complete their University course and take a degree in Law by offering £200 for a third year of residence, provided a Law degree were obtained. I am entirely against a separate institution being maintained for the training of Indian probationers, either in England or in India. More especially the latter, for I hold that when your young Civilian reaches India the sooner he is set to practical work under a sound District Officer, the better it is for him in every way.

Training in India.

17. I have above indicated that the young Civilian should be placed under an approved District Officer to be trained. I attach the greatest importance to this, and provided this essential is complied with I do not think that it is worth while laying down any specific rules for the training of officers. The existing system of departmental examinations should be maintained. I am myself in favour of greater stringency than at present obtains in the passing of an examination in the vernacular languages. I should like it laid down that an officer be not permitted to present himself for examination in the vernacular of his district until he has been approximately eighteen months in India. Say that he arrives in India in November 1913. He should appear for his vernacular examination at the departmental examination of April 1915, and the test should then be a fairly severe one. Under the existing rules an Assistant Commissioner draws Rs. 400 on arrival, and Rs. 450 after passing in law and procedure and accounts by the lower standard and in one vernacular language, and after being invested with the powers exercised by a second class Magistrate. After passing by the higher standard and in a second language and being invested with the powers of a first-class Magistrate, he draws Rs. 500. I would allow Rs. 450 to be drawn without the passing of the vernacular test, but the Rs. 500 pay should not be given till the first vernacular is passed. The second vernacular should be taken after eighteen months' residence in a district in which it is spoken, and an officer should always be sent to such a district, as soon as convenient after passing in his first language. Failure to pass in the second language within two years of residence in a district where that language is spoken should entail stoppage of promotion. If a time-scale is introduced for the Indian Civil Service, the penalties for failure to pass would be suitably regulated in accordance therewith, by temporary stoppage of increments of pay.

18. Sir Reginald Craddock was in favour of the Civilian being compelled to pass, in addition to the ordinary test in two vernaculars, an advanced test in one language only about the conclusion of his fifth year of service, and the papers containing his proposals will be laid before the Royal Commission if desired. I am inclined to doubt the expediency of this further test, as a compulsory measure. By the time an officer has reached his fifth year of service, he is heavily worked, he has little time for study and is tired of examinations. Provided the original test is made a thorough one as has been proposed, I should be prepared to give up the idea of an advanced examination. The rules for the encouragement of the study of Oriental languages offer rewards for the passing of higher standards and further regulations on the subject appear hardly to be called for.

Selection for higher appointments and compulsory retirement.

19. I am entirely in favour of the proposals put forward by the Government of India in their despatch to the Secretary of State, No. 20, dated the 19th September 1912, on the subject. I believe that a provision regarding the compulsory retirement under proper safeguards of incompetents from the Civil Service would be generally welcomed. And it is essential that care should be observed in making promotions to the headships of districts and divisions, on the lines which the Government of India have proposed.

Prospects of the Indian Civil Service.

20. Detailed answers have been drawn up regarding the conditions of service, salary, leave and pension, and I shall not refer to the subject in this note further than to say that the time has come for improving the prospects of the Indian Civil Service, more particularly in the matter of pay. The greatly increased cost of living in India has been recognised by the grant of increased emoluments to most of the other Services of Government. The Indian Civil Service cannot be left behind. In the Central Provinces the members of the Service are generally in favour of a time-scale of pay, and I consider that the adoption of such a course will be to the advantage of the State in securing a contented and willing body of workers. In the past few years the junior members of the Central Provinces Commission have suffered from a most serious block in promotion, regarding which individual members examined will no doubt make representations to the Commission. For many years to come this state of affairs is not likely to meet with adequate relief, unless a time-scale is introduced. Whilst I am in favour of the prospects of the Service being improved in the matter of pay, I consider that the ineffective charges should be kept within bounds, and I have made only a minor recommendation in the matter of increased pension to officers holding the post of Commissioner of a Division and above. These will in future be selected officers, and I hold that they should be treated on the same lines, in regard to pension, as selected senior officers in certain others of the Departments of the State. The

rigid exercise of the principle of selection will meet the argument that is put forward against the grant of such extra pension, that it keeps officers hanging on after their best days are passed.

The Provincial Civil Service and Listed Posts.

21. I am in favour of the present system by which a certain number of the "Listed Posts" are declared open to members of the Provincial Civil Service. It is very desirable that the prospects of such promotion should be available to the Service. The latest proposals which have been prepared by this Administration in this connection will be laid before the Commission. In the Central Provinces, as has been already explained, there are three Indian officers of the Berar Commission at present holding charge of superior posts ordinarily filled by members of the Indian Civil Service. There are besides one Statutory Civilian and two Indian members of the Indian Civil Service holding charge of districts. The prospects of the Executive branch of the Provincial Civil Service are thus badly blocked, and it does not seem possible to give them relief, in view of the inexpediency from the point of view of the administration of the Province of too largely eliminating the British element from the higher posts. And even when the block is removed, at least three posts of Deputy Commissioner will be held by Indian members of the Civil Service. It is therefore unlikely that more than two Deputy Commissionerships can ultimately be thrown open to members of the Provincial Civil Service, if, as has been already advocated, the number of Indians holding administrative posts is to be placed within due limits.

22. In the Judicial Service under a scheme which is about to be submitted to the Government of India it is proposed to declare a considerable proportion of the posts of District and Sessions Judges (which it is proposed to create) open to members of the Provincial Judicial Service, the members of which have shown themselves to be generally satisfactory as Civil Judges. The same cannot be said regarding their capacity as Criminal Judges, and cases have arisen in which the administration of the Criminal law at the hands of some of these officers has been very halting indeed. But as has been already indicated earlier in this note, I am in favour of a substantial proportion of the Judiciary being recruited from Indians.

23. Officers selected for listed posts from the Provincial Services will ordinarily be fairly advanced in service. I am not in favour of selecting men at too early an age, when the promise of their earlier career is often not fulfilled by their subsequent performances. This being the case, I would favour their being given a substantial rate of pay, when selected for a listed post, entirely independent of the pay drawn by members of the Indian Civil Service holding such posts. My view is that a Provincial Service officer selected for a Deputy Commissionership or Sessions Judgeship should not receive less than Rs. 1,500, and that it would be suitable to regulate the future promotion of such officers by a time-scale rising to Rs. 2,000 by suitable increments. Should a Provincial Service officer receive promotion to the Commissionership of a Division or to the Chief Court of the Province, he should draw the full pay of the appointment.

24. As has been already noted, detailed answers to the questions set by the Royal Commission have been submitted on most of the points which are not touched on in this note.

APPENDIX II.

(Referred to in Question 34688.)

Letter from the Central Provinces and Berar Commission Association to the Joint Secretaries to the Royal Commission on the Public Services in India.

I am desired to address you on behalf of the Central Provinces and Berar Commission Association which is the representative body of the members of the Central Provinces and Berar Commission, and to request that you will be good enough to lay before the Royal Commission the following statement of the views of the Association on certain matters which are now under the consideration of the Commission with special reference to the questions framed by the Commissioners under the heads 'Salary', 'Leave,' 'Pension' and Conditions of Service.

Block in the Central Provinces and Berar Commission.

2. The Association desire at the outset to bring very specially to the notice of the Commission the serious block in promotion that exists in these provinces. The block in promotion has long been foreseen both by the members of the Central Provinces Commission and by the Government of India and has recently formed the subject of memorials submitted by a large number of members of the Commission.

An examination of the Civil Lists for the last 20 years will show conclusively that there has been during that period a progressive decline in the emoluments enjoyed by officers at the same period of service and this decline is accentuated by the fact that the men recruited since 1891 being older than their predecessors might expect to draw age for age at least the same and service for service somewhat higher emoluments, whereas in fact they find themselves in a markedly worse position taking their salary in relation to their total service and in an altogether worse position taking their salary in relation to their age. In the meantime the value of the rupee has deteriorated, the cost of living in India has doubled or even trebled and the cost of living in England has increased. The belief sometimes expressed that living in the Central Provinces is relatively cheap is a legacy from a former condition of affairs now no longer in existence; on the contrary, the cost of necessaries has risen far more in the Central Provinces than elsewhere and the expenses of a European mode of life are now just as high in the Central Provinces as in other parts of India. Nor is it possible for a Civilian of standing to effect economies of any consequence, for public sentiment, both European and Indian, associates with every post a certain scale of expense irrespective of variation in the salary enjoyed by the particular

holder of it, and the credit of the service demands that this sentiment should not be disregarded. The combined effect of these conditions is that many members of the Commission have to maintain out of smaller emoluments the same position as their predecessors of less age and standing and are unable to avoid running into debt.

The block in promotion affects the service in two ways. In the first place, the promise held out to recruits, that they will hold superior appointments after 8 years' service, is not fulfilled; on the first of January of the present year all the officers of 13 years' completed service, 4 in number, received salaries of less than Rs. 1,000 while out of 22 officers of more than 8 and below 14 years' service only 4 were in receipt of salaries exceeding this figure. Last year even in July the height of the leave season, when officiating promotion is at its best, the net number of men of over eight years' service whose salaries were less than Rs. 1,000, was four or including those on leave ten. In the second place, even after a superior post has been attained great stagnation in promotion supervenes. Men in the sixteenth year of service are still found in the list of First Class Assistant Commissioners, while at the bottom of the list of Second Class Assistant Commissioners are men in their eleventh year of service. At the head of the list of Third Class Deputy Commissioners stand men in their 20th year of service and at the head of the Second Class men in their 25th year of service.

A depressing feature of the present situation is that officers hold charge of districts continuously for long periods, in some cases for as long a period as eight years without receiving the pay of a permanent Deputy Commissioner. The Association would also point out that the Commission includes officers who are enjoying smaller emoluments than they would be enjoying had they entered other departments, *e.g.*, the Education and Forest Service. It is not therefore to be wondered at that a number of officers are smarting under the feeling that they have been brought out to India on false pretences, and that members of the Service no longer recommend the I. C. S. as a career to their friends.

Causes of the block.

3. There appear to the Association to be three main directions in which, by deviation from the approved scheme of recruitment, this block has been intensified.

These are—

(i) Over-recruitment;

(ii) The assumption, for purposes of recruitment of a list of superior posts containing several posts which ought not to be classed as superior at all since it is the exception, and not the rule, for the officers holding them to receive salary amounting to Rs. 1,000 a month.

(iii) The recent and sudden curtailment of this list of superior posts by the "listing" of three posts. This in effect amounts to the taking away from junior Civilians all hope of filling certain posts, which, at the time of their recruitment, were included in the list of those to fill which they were recruited.

Over-recruitment.—The main cause of the block in promotion is the very defective recruitment that took place in the eighties, and the consequent necessity of very rapid recruitment at a later period. But it will be well to see how the present scientific scheme of recruitment has been worked. This scheme, though not formally brought into force till 1900, had received the approval of the Government of India as early as 1896, and that date will therefore be convenient as a starting point in contrasting the actuals with the theoretically correct figures of recruitment, though over-recruitment also took place in the three years prior to this date. Berar, with its large addition to the strength of the Commission, was joined to the Central Provinces towards the end of 1903. From that date onwards recruitment was normal (though subsequently rendered abnormal as will be shown later) but from 1896 to 1903 recruitment was excessive.

During these 8 years the sanctioned strength of the Commission remained constant at 73 and the correct recruitment at 4·31 per cent which was then adopted as the scientific rate would have been 3·15 men a year. Actually recruits were brought in as follows:—

1896	5	
1897	5	
1898	4	
1899	5	
1900	4	
1901	5	
1902	4	(Including Mr. Crosthwaite uncovenanted).
1903	4	
Total	36	

This does not include Civilians brought from other provinces during this period (of whom one still remains). Normal recruitment at 3·15 men a year would have resulted in a total of 25·20, or say 25 men, while the actual recruitment exceeded the normal by 44 per cent. The reason for this great over-recruitment was that the actual strength of the Commission was considerably below the sanctioned strength: the sanctioned strength was 73 while the actual strength was as low as 62 at the beginning of the period and rose gradually to 72 at the end. Such discrepancies between actual and sanctioned strength were duly foreseen when the scheme of recruitment was framed; but the maximum permissible deviation from the normal rate of recruitment in any one year was 30 per cent (*vide* paragraph 14 of Home Department Despatch No. 10, dated the 10th February 1898). Even this 30 per cent. addition would have permitted the recruitment of only 4·09 (or say 4) men yearly to the Central Provinces, a serious matter in itself, if repeated year after year, but recruitment went beyond this figure.

The list of Superior Posts.—This list contains 51 appointments, but after the deduction of 6 listed posts and the addition of 4 under the Government of India allotted to these Provinces, the nett number ordinarily reserved for members of the Commission is 49. Of these no less than 5 cannot under the present system of payment fairly be regarded as superior posts, namely, those of

4 Settlement Officers.
1 Registrar, Co-operative Credit Societies.

Settlement Officers are invariably chosen from the ranks of Assistant Commissioners, and though they are seconded and may receive the salary of officiating Deputy Commissioner if any

officer junior to them is so officiating, experience shows that it is now most exceptional for this position to arise, and at the present moment not a single Settlement Officer receives the salary of Rs. 1,000 though one of them is an officer with more than 13 years' completed service. The Registrarship of Co-operative Credit Societies has not been long created as a separate post, but experience up to date shows that its incumbent cannot ordinarily be expected to receive Rs. 1,000 a month. At present he is an Assistant Commissioner drawing a salary of only Rs. 766, though he has 10½ years' service in the Commission. The Directorship of Agriculture is also a post which, though ordinarily held by a Deputy Commissioner, is at present held by an Assistant Commissioner of the second class. The Association would strongly urge that all these posts be both classed as superior and paid as superior posts. They are all posts of the highest responsibility and it is most inequitable that any officer should be called upon to carry out the arduous duties attached to them on a remuneration less than that of the lowest grade of Deputy Commissionership. It may also be mentioned that the posts of the Inspector General of Police and the Director of Agriculture, though ordinarily held by members of the Commission, may also be held by an officer of the Police and Agricultural Department respectively.

It follows that officers are recruited for superior posts considerably more numerous than really exist. The sanctioned strength of the Commission is 99, based on a superior cadre of 51, *i.e.*, 49 *plus* 2 (at 4 per cent.) for temporary posts and deputations. If the 5 posts of Settlement Officers and Registrar continue to be paid as at present, the number of superior posts will be reduced to 46, the sanctioned strength to 89 and the normal recruitment rate from 4·1 to 3·7.

Recent reduction of Superior Posts.—The sanctioned strength has been recently and suddenly curtailed. Last year the number of superior posts ordinarily reserved for members of the Commission was suddenly reduced by 4. Three Berar posts were "listed" and as the Government of India reduced their own number of reserved superior posts, the number of posts under that Government allotted to the Central Provinces was reduced by one. Consequently, the sanctioned strength of the Commission, which had risen to 107, was reduced by a stroke of the pen to 99, and the junior Assistant Commissioners were deprived of all hope of certain posts to fill which they had been recruited, and in which they may be said to have a vested interest. Recruitment since 1903 has, on the whole, been normal, but this sudden reduction in the number of superior posts has converted it from normal to excessive. Similarly, more senior officers have been deprived of posts which they reasonably expected to fill in time, and if it be urged in reply that since their recruitment other superior posts have been added to the cadre, the rejoinder is that they themselves were over-recruited in the period 1893-1903.

The result of all these irregularities is that the Commission contains a large excess of officers in the lower ranks who must wait a long time before they can reach superior posts. The actual strength of officers available to fill the superior posts, excluding those listed, is 107 as against the sanctioned strength of 99. There are really only 46 superior posts, as follows:—

Normal Number	51
Deduct listed posts	—6
Add Government of India posts . .	+4
Add 4 per cent. for deputation . .	+2
Deduct 4 Settlement Officerships and Registrar, Co-operative Credit Societies.	—5
Net total .	46

Under the approved scientific scheme of recruitment the strength of the Commission should be 194·5 per cent. of the superior posts. The Central Provinces Commission should contain 89 men, of whom 43 would be in excess of the number of superior posts properly so called. Actually the Commission has a strength of 107 men, or 61 over and above the 46 superior posts which can properly be so called. The lower ranks contain 61 men: they should only contain 43.

Listing of posts.

4. The Commission thus contains a number of men who have very little chance of reaching a superior post within the time laid down by the Secretary of State, and it is manifest that any reduction in the number of posts available will still further lessen their chances. It was expressly laid down by the last Public Service Commission that listed posts should continue to be filled by existing members of the Indian Civil Service, till the claims of those existing officers had been satisfied, and the Association would urge that no more posts can in bare justice be taken away from the Indian Civil Service till the claims of all existing members of the Commission to fill these posts have been satisfied; the Association would even go further and would ask for a definite pronouncement to the effect that no listed posts can be filled by a member of the Provincial Civil Service so long as an Indian Civil Service man of 8 years' service remains without a superior post. Such a stringent rule would, the Association think, help to prevent careless recruiting.

Pay and grading.

5. The block in promotion has been aggravated by a scale of pay and grading which compared with that in other Provinces is extremely unfavourable. The reasons for this inferiority appear to the Association to be purely accidental and historical. The Central Provinces were at the time of their formation administered by a mixed Commission of Military and Uncovenanted Officers with a small sprinkling of officers of the Indian Civil Service obtained from other parts of India or intermittently recruited. To begin with, the Indian Civil Service members of the Commission being few in number had opportunities of obtaining rapid promotion in proportion to their seniority, and the inferiority of the pay of the appointments and the grading was not brought into prominence. But the Central Provinces Commission now only contains one uncovenanted member and even with the inclusion of the members of the old Berar Commission, the amalgamation of which with the Central Provinces Commission is under consideration, Indian Civil Service officers will still constitute almost ninety per cent. of the joint Commission. It is also practically certain that in future all recruitment will be confined to covenanted officers. The Association consider therefore that there is no longer any justification for treating the Central Provinces and Berar

Commission as an inferior service whose pay and grading should be regulated by a scale inferior to that enjoyed in any other province. This inferiority is all the more marked owing to the absence in this province of many prizes to which the covenanted services of other provinces may aspire.

The Association would further point out that the Secretary of State himself has repeatedly affirmed that all the Commissions in India, officered by members of the Indian Civil Service, should be placed on an approximate equality as regards pay and prospects so far as the general line is concerned, and in 1899 he stated definitely that the grading of the Central Provinces Commission could only be regarded as temporary. In spite of these pronouncements, however, thirteen years have passed without any steps being taken to redress the injustice, and the delay has caused a feeling of grave disappointment among the members of the Commission which cannot but react unfavourably on the efficiency of the Administration.

Suggestions for improving pay and grading.

6. The following detailed recommendations for improving the pay and grading of the Commission are submitted by the Association. In the first place it is unjustifiable anomaly that two Commissionerships in the Central Provinces should be paid at a rate lower than any Commissionership in India save a small and comparatively unimportant one in the United Provinces. The Association consider that this inferiority should be removed and that Commissioners should all be paid at a uniform rate of Rs. 35,000 *per annum*.

Secondly, the grading of Deputy Commissioners and Assistant Commissioners gives great cause for dissatisfaction, as may be seen by comparison with that in force in the United Provinces and Punjab.

Grading.	United Provinces.	Punjab.	Central Provinces.
Deputy Commissioners, First Class.	19	10	4
Deputy Commissioners, Second Class.	21	11	10
Deputy Commissioners, Third Class.	10	13	12
Average given salary per head.	Rs. 1,909	Rs. 1,817	Rs. 1,737
Joint Magistrates on Rs. 1,000—14. / Assistant Commissioners on Rs. 800—6.	20	14 on 900	4 on 900
Assistant Commissioners on Rs. 700.	20	15 on 700	10 on 700

The Association consider that a strong case exists for raising the pay of the lowest grade of district officer to Rs. 1,800 per mensem, and they would press for a division of the Deputy Commissionerships into two equal grades, one of Rs. 1,800 and the other of Rs. 2,250 per mensem. Similarly, the 20 appointments of Assistant Commissioner should, the Association think, be divided half and half into two grades of Rs. 900 and 700 per mensem.

Time-Scale Pay.

7. The Association have laid stress on the need of an improved scale of pay and grading, but they would submit that for a Commission of such small numerial strength as that of the Central Provinces no system of grading will ensure a satisfactory flow of promotion. In support of this view they would point out that in the United Provinces Commission, which is numerically two and a half times the strength of that of the Central Provinces, a position was reached which, in spite of a far superior grading, at one time necessitated the grant of compassionate allowances to individual officers. A similar position is now once more, it is understood, calling for remedial measures in that Commission. Your memorialists would therefore emphasise the fact that even if the proposals put forward in the previous paragraph are accepted they will, though they may secure a slightly more favourable regrading, in no way provide an effectual remedy for the grievances of the Commission or an abiding guarantee against their subsequent recurrence. Any system of grading is moreover marred by the uncertainty as to his salary from month to month felt by every officer near the top or bottom of his grade. Experience has shown that this uncertainty persists not only for months but sometimes for years, and is liable to recur at every stage of an officer's promotion. Such uncertainty must militate against efficiency and therefore constitutes a serious detraction from the merits of the present system of grade promotion. The Association are therefore of opinion that by far the most satisfactory method of giving redress to the grievances of the Commission would be to introduce a time-scale rate of pay. In sanctioning a time-scale for the Political Department the Secretary of State remarked that it provided approximately the emoluments which officers might expect to draw in their Provinces. This scale the Association accept as reasonable. It should, they think, include all those appointments of which the emoluments are less than Rs. 2,500 *per mensem* and should be without prejudice to those local personal and deputation allowances which are at present in existence and attached to certain specified appointments. The scale, as adapted to the Central Provinces and Berar Commission, is set forth in the table appended, but its main features may here be briefly emphasized:—

(*a*) A time-scale rate of pay for officers drawing less than Rs. 2,500 *per mensem* based on the Political Department scale which, as the Government of India states, "has been calculated at a rate which will give officers of that Department approximately the emoluments which they might expect to draw in their Provinces."

(*b*) A single class on Rs. 35,000 *per annum* for Commissioners so as to bring their emoluments into line with similar officers similarly placed in the other Provinces of India.

(*c*) A maximum limit of Rs. 1,500 *per mensem* to be set to the pay of any officer who is not put in charge of a district or in a post of equal standing, but every officer who is put in charge of a district before the completion of his 12th year to receive a monthly charge allowance of Rs. 300 subject to a minimum payment in each case of Rs. 1,250 *per mensem* and a maximum of Rs. 1,500.

It will be observed that the Association do not press for a simple time-scale of pay right through

the service. They recognize that the encouragement of efficiency demands that after a certain point an increase of pay should not depend merely on an officer's increasing age, but should also at certain stages of his service be regulated by his capacity to hold charge of more important duties.

Leave.

8. The Association recommend the abolition of all rigid restrictions now imposed in the leave rules and their revision so as to allow shorter leaves at more frequent intervals on full pay. It appears to the Association that the present rules are defective in the following respects:—

(*a*) They do enable officers to defer taking leave when they require it and to accumulate it so as to be able to take periods of leave far longer than necessary. (*b*) They do not offer sufficient inducements to officers to take leave often enough, and (*c*) They do not make any provision for compelling officers to take an annual holiday and recreation. The existing leave rules had their origin at a time when the conditions of service in India were very different from what they are now. Formerly people used to stay out in India for a very long period at a stretch, and when they did go home they naturally wanted to spend as long a time as possible there partly because the journey home and out again took a very long time. In those days, therefore, it was natural that officers should wish to take leave as much as two years at a stretch. But no one, the Association think, will argue that a system under which officers absent themselves from their duties for two years is really satisfactory or conducive to the best interests of the Public Service. An officer taking leave for more than one year must more or less lose touch with the conditions of his work out here and must return to India almost as great a stranger as when he first arrived in the country. At present the journey home is such a simple matter that it forms no bar and the only difficulty in the way of shorter periods of leave at shorter intervals is the financial one. The cost of living in India has become so much greater that it is difficult to put by any savings while on duty, and half pay does not go far to pay for the cost of a journey home and out and the expenses of living at home. Then again as regards privilege leave, originally one month's privilege leave a year was intended to permit an annual holiday in the country and there was no idea of its enabling a man by accumulating it to run home for a few weeks. Since travelling became so much quicker this idea has grown up until most people regard privilege leave solely as a leave to be accumulated for three months and the concession of combined privilege leave with furlough, etc., has still further stereotyped this idea. Many officers complain that they have not been able to take anything like all the privilege leave which was due them. If enquiry is made why they have forfeited their leave, it will be found that first of all they have preferred not to take a month's leave when it became due but to let it accumulate, then when it has accumulated they have been unable to take it because they could not afford to or have not thought it worth while or for some other reason, and so by constantly putting off taking it they have ended by losing a greater portion of it. It may be said that the power of combining Privilege leave with Furlough has reduced this loss of Privilege leave, but as a matter of fact even since that concession was made much of the Privilege leave due to officers is still lost owing to their being unable to afford to take combined leave a greater portion of which is on half pay and, moreover, the concession is only a make-shift remedy for what was recognised as a serious grievance. There is no doubt that much of the sickness and staleness which is to be found among officers of this country is due to their constant sticking to duty for several years together without any change except for short periods of a few days. In the opinion of the Association it is absolutely essential to the proper health and efficiency of officers that they should take a holiday every year and they believe that a remedy might be found in forbidding the accumulation of privilege leave and thereby compelling every officer to take his one month's privilege leave each year. Such a proposal, however much it may be in the interests of those concerned, would probably be very unpopular among most officers who like to be able to accumulate their privilege leave in case they should need it. Though therefore they do not think that the unpopularity of the proposal would necessarily constitute a strong argument against it the Association do think that some alteration in the long leave rules would be necessary in order to compensate for it and they venture to suggest below the lines on which such alteration might be made.

It appears to the Association that on an average every officer needs about 8 months' leave every fourth year. The present rules allow him to take a little more, but as has already been pointed out the rules regarding leave allowances do not enable him to avail himself of it. If he were allowed his leave on full pay there can be no doubt that he would invariably take it as soon as he could get it. The Association's proposal then is that furlough on full pay should be earned at the rate of one month on every six months' active service, the yearly one month's privilege leave to count for this purpose as active service, making a total of 3 years and 7 months' furlough earned in a total service of 25 years. Thus every officer after 3½ years' active service, during the first three years of which he would get one month's privilege leave each year, would be entitled to 7 months' leave on full pay when he could go home and have a thorough change. The leave would of course have to be taken at such a time as might be convenient to the interests of the Public Service: an officer could not be allowed to claim to take his leav at a particular time convenient to himself but would have to take it when he could get it, and would even be liable to be sent on leave when he did not want to go if he had leave due to him and if it was convenient to the Public Service that he should go. It would be necessary to spread the leave absence more or less evenly over the whole year so as to avoid having too many officers absent at one time and too few at another.

Under this scheme privilege leave at the rate of a month a year and furlough on full pay as explained above would be the only kinds of leave ordinarily allowed, but of course it would be necessary to provide in the regulations for the grant of special leave either for ill-health or for urgent private affairs. Such special leave would in the case of urgent private affairs not exceed

6 months, while leave on medical certificate would be for such period as the Medical Officer might declare necessary: in either case the leave would be on half pay only.

The Association calculate that under this scheme the number of officers absent on leave at any time would not exceed 14 per cent. of the strength, and as the existing rules allow for as many as 20 per cent. being absent, it would be possible to reduce the reserve of officers for leave vacancies by 6 per cent.

Under this system the total amount of leave on full pay to be enjoyed by an officer in 25 years' service would be 3 years and 7 months. The Association do not think that it can be said that this is an unreasonable amount of leave to grant to an officer in the course of his service, nor on the other hand do they think that there should ordinarily be any necessity for more. Should, however, in any individual case more leave be required by any officer it will still be open to him to take it on half pay as at present. The object of the proposal is to secure a scheme which will be of the greatest benefit both to the public service and to the officers concerned. To the public service it will secure the maximum efficiency of the officers and will also avoid the long absences for as much as two years at a time which are now permissible. To the officers it will ensure that they have sufficient opportunities of relaxation and change of climate and sufficient means at their disposal to take advantage of it.

9. The first modification in the pension rules which I am desired to propose is the abolition of the present system of deducting annuity contributions from salaries and the grant of a net non-contributory pension of £1,000 *per annum*. The annuity of the Indian Civil Service is commonly referred to as a pension of £1,000 *per annum*, and the Association speak from experience when they say that it is not realised by many candidates who enter for the examination that half or more than half that amount is contributed by the officer himself. In fact, however, the net pension of this, the premier service, compares by no means favourably with the pensions earned in other appointments in India. For example, pensions rise to £1,000 in the Military Department, and £1,050 in the Medical Service, while certain Barrister appointments yield a retiring allowance of £750 after as little as 11½ years' service. The Association consider that the financial amelioration which their proposal would effect is amply justified by the necessity of improving the attractiveness of the service, but in addition they also desire to urge that the system of contributions is in itself objectionable and unequal in its operation. The only alternative to the present contributory system suggested in the questions framed by the Commission is a non-contributory system varying in amount according to the salary drawn on retirement. The Association would not be prepared to accept any such proportional system as it would tend to stagnation in promotion. On the contrary, they hold that the system of equal pensions after a fixed term of years of approved service is one of the most important privileges of the service and a principal attraction to recruits. But there could be no objection of principle to retaining the equal pensions which are the characteristic of the present system, while abolishing contributions. The unequal incidence of the present contributory system amounts to a substantial grievance. The original basis of the system was, as the Association understand, that an officer who retires after 25 years' service, after holding ordinary offices, should have contributed half the amount of his annuity himself. If, however, he continues in service after the period, as the more able officers tend to do, his contributions do not cease, but continue or even increase in proportion to the pay of the higher offices to which he probably attains, with the result, it is understood, that a successful officer who attains to the highest appointments and serves his full term of 35 years, pays the whole, or nearly the whole, of his pension himself and receives nothing in reward for his service from the State. As a result of the secret manner in which the annuity fund is administered, which in itself the Association regard as open to grave objection, the Association are not in a position to give verified figures on these points. In any case the anomaly is patent, that the higher the office that he has held and the longer his service to the State, the less does he receive by way of pension. There is, moreover, a widespread opinion which, again, the Association are not at present in a position to verify that the contributions at present exacted would be capable of producing a better return if invested, and it may at least be urged as certain that whatever the advantages of the contributory system when instituted, they have been greatly diminished by the wider opportunities for private investment which now obtain. The Association would, however, have no objection to the retention of a contribution towards a Provident Fund which should form an addition to the annuity.

Pension.

The second principal modification which the Association would make in the rigidity of the present pension rules is that an inefficient officer should be retired at a comparatively early stage of service on a proportionate pension. They do not wish to be understood as admitting that cases in which such a system requires to be applied are of any frequency; on the contrary, they are convinced that they are of the rarest occurrence. Cases, however, do occasionally occur in which officers show themselves unfit to discharge what may be described as the staple duties of the service, *viz.*, the control, administrative or judicial, of a district, and the Association consider it detrimental to the interests both of the public and of the Service that such officers should be retained. In framing a scheme for the retirement of such officers the Association would like to press upon the attention of the Commission three main proposals, *viz.*, that the conduct of such proceedings should not be left exclusively to the Secretariats, but that the first stage in each case should be an enquiry before a special Commission composed of members of the Service; secondly, that the scale of pensions should be the same as that for retirement on Medical Certificate, subject to the improvements in the latter suggested below, and that the orders in each case should be passed by the Secretary of State and not by the Local Government or the Government of India. The Association desire particularly to urge that no change be made in the present system, under which orders for the retirement, as for the appointment, of a Civilian, issue from the Secretary of State alone. Unless adequate safeguards are provided in this matter, recruiting is certain to be adversely affected, and the Association feel strongly that the authorities in India are not in the position of absolute detachment which

is necessary for proper judgment in such matters. They do not lose sight of the fact that the delegation of the power to order retirement to one of the authorities in India would leave the way open for an appeal to the Secretary of State, but they believe that such cases are more likely to be judged on their merits by that authority if they come before him as the sole and final tribunal.

Thirdly, the Association consider that an improvement is required in the scale of pensions granted on retirement on medical certificate, particularly in the case of senior officers. The present maximum invalid pension is £700 after 25 years' total service, of which less than 21 years has been active. The Association think that it will be conceded that this limit imposes an unduly severe penalty on senior officers whose health breaks down, and that it is likely to lead to the retention in service of the inefficient. They are of opinion that the difference between a full pension and a medical pension in the last few years of an officer's service should be minimised in such a manner as to correspond more nearly with the conditions of other services where no distinction between the two classes of pension exists. The Association would urge that a scale of medical pension working down from a maximum of £945 *per annum* after 24 years' service be adopted.

Payment of expenses on transfer and provision of suitable medical attendance.

10. In conclusion, the Association desire to submit certain recommendations which do not arise directly from the questions as framed by the Commission, but which have an indirect bearing on the emoluments of the Service and appear to the Association to be covered by the terms of the reference to the Commission.

In the first place, I am to urge that the actual expenses of officers on transfer should be paid by Government. The travelling allowances at present granted being on the same scale as for ordinary touring within an officer's district are altogether inadequate to meet the expenses of transfer from one post to another. When transferred in the interest of the State the whole cost of moving the horses and conveyances which his duties require him to maintain, as well as furniture and personal effects, has to be paid by the officer himself, while a married man has also to meet the expenses of his wife and family. There is a very strong feeling, which the Association endorse, that an officer on transfer should be reimbursed the actual cost of the move. The Association do not think it necessary to give detailed examples of the heavy expenditure which falls on officers under the present rules, since they understand that ample material for working out a detailed scheme is already in the hands of the Government of India.

Secondly, I am to invite attention to the disquietude and apprehension with which the Service regards the arrangements made for medical attendance in the mufassal, which are frequently unsuitable, and in the case of married officers open to objection of the most serious character. The Association desire to urge most strongly that the medical service of Government should be so maintained as to provide a fully-qualified European medical officer for every district. They entertain no doubt that if suitable provision is not made in this matter recruitment will be very seriously affected.

ENCLOSURE.

Proposed scale of pay for members of the Central Provinces Commission.

Years of Service.	Rs. *per mensem.*
1	(1) 450
2	550
3	600
4	650
5	700
6	750
7	850
8	950
9	1,050
10	1,150
11	1,250

(1) An increase of Rs. 50 in the initial pay is recommended. This to be raised to Rs. 500 after the officer has passed his departmental examination.

(2) No officer not in charge of a district to draw more than Rs. 1,500 *per mensem* even though he may have completed 12 or more than 12 years' service.

But any officer whose pay is less than Rs. 1,500 who is put in charge of a district to receive a charge allowance of Rs. 300 *per mensem* with a minimum pay in each case of Rs. 1,250 and a maximum of Rs. 1,500.

Years of Service.	Rs. *per mensem.*
12	(2) 1,500
13	1,600
14	1,700
15	1,800
16	1,950
17	2,050
18	2,150
19	2,250
20	2,350
21	2,400
22	2,400
23	2,400
24	...

All Commissioners to receive Rs. 35,000 *per annum*. There are only 4 Commissionerships in these Provinces. Appointment to these posts is in future to be made strictly by selection. There is therefore every reason why they should be kept in a single class.

APPENDIX III.

Officials, Non-officials and Associations in the Central Provinces and Berar who, at the request of the Royal Commission, furnished written answers to the interrogatories printed on pages v—xxxviii *of this volume, but who were not orally examined.*

(*a*) *Officials.*

(1) Sir H. V. Drake-Brockman, I.C.S., Judicial Commissioner.
(2) H. A. Crump, Esq., I.C.S., Commissioner, Jubbulpore Division.
(3) J. Walker, Esq., I.C.S., Commissioner, Nagpur Division.
(4) C. E. Low, Esq., C.I.E., I.C.S., Director of Agriculture and Industries.
(5) F. C. Turner, Esq., I.C.S., Deputy Commissioner, Bhandara.
(6) Sir A. Blennerhassett, Bt., I.C.S., Third Secretary to the Hon'ble the Chief Commissioner.
(7) R. Faridoonji, Esq., I.C.S., Commissioner of Excise.
(8) G. L. Corbett, Esq., I.C.S., Settlement Officer, Saugor.

APPENDIX III—*continued.*

(9) D. G. Mitchell, Esq., I.C.S., Divisional and Sessions Judge, Chattisgarh.
(10) E. M. Kiernander, Esq., Sub-Divisional Officer, Ellichpur.
(11) S. Shahpurji, Esq., Extra Assistant Commissioner, Akola.
(12) R. B. Sheorey, Esq., Extra Assistant Commissioner.
(13) W. R. Dhobley, Esq., District and Additional Sessions Judge.
(14) A. G. Wright, Esq., Director of Public Instruction.
(15) F. W. A. Prideaux, Esq., Bar.-at-Law, Divisional Judge, Nerbadda.
(16) Lieutenant-Colonel H. E. Banatwala, I.M.S., Civil Surgeon, Amraoti.

(*b*) *Non-Officials.*

(17) Sir G. M. Chitnavis, K.C.I.E.
(18) Nawab Muhammed Salemullah Khan, Khan Bahadur, C.I.E.
(19) D. K. Kane, Esq., Member of the District Board, Yeotmal.
(20) Muhammad Abdul Kadir, Pleader, Amraoti.
(21) M. B. Dadabhoy, Esq., C.I.E., ex-Member of Governor General's Council.
(22) Debendra Nath Chaudhuri, Esq., Pleader, Raipur.
(23) Diwan Bahadur Ballabha Dass, Banker, Jubbulpur.
(24) Khan Bahadur Ghulam Mustfa, Landlord.
(25) Rai Bahadur H. N. Mitra, Bar.-at-Law, Khandwa.
(26) D. V. Bhagwat, Esq., Director, Oil Mills, Akola.
(27) H. D. Coggan, Esq., General Manager, Central India Mining Co.
(28) K. B. Gupta, Esq., Pleader, Jubbulpur.
(29) N. K. Kelkar, Esq., Pleader, Balaghat.
(30) G. A. Phillips, Esq., Agent, Bank of Bombay, Akola.

(*c*) *Associations.*

None.

APPENDIX IV.

Officials, Non-officials and Associations in the Central Provinces and Berar who furnished written answers to the interrogatories printed on pages v—xxxviii *of this volume in response to a notification published in the* Central Provinces Gazette, *but who were not orally examined.*

(*a*) *Officials.*

(1) R. Pantin, Esq., I.C.S., Deputy Collector, Raipur.
(2) R. N. Trivedi, Esq., Sub-Judge, Akola.

(*b*) *Non-officials.*

(3) H. S. Gour, Esq., Bar.-at-Law, Nagpur.
(4) S. V. Khetkar, Esq., Amraoti.

(*c*) *Associations.*

(5) Berar Provincial Congress Committee (M. V. Joshi, Esq.)

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INDEX.

CENTRAL PROVINCES.

The Numbers refer to Questions.

A.

Acting Allowances (*see under* Pay, I.C.S.).

Age Limit (*see under* Indian Civil Service Examination).

Age of arrival in India (*see under* Recruitment, I.C.S.).

Agricultural Department:
- Appointments relating to, should be removed from P.C.S. into, *Thakur* - - 35,600–1, 35,644–7
- Creation of large number of new posts in, cause of increase of European officers, *Khan* - - 35,416
- Development, *Dick* - - - - - 36,895
- DIRECTOR OF AGRICULTURE:
  - Assistant:
    - Post transferred to P.C.S., *Thakur* 35,593, 35,606
    - Removal of post from P.C.S., and inclusion in Provincial Service of Department of Agriculture, advocated, *Thakur* - - - 35,600
  - Length of service, *Nelson* - - - - 34,804
  - Listing of one post, advocated, *Kelkar* - 37,673
  - Local allowances payable to, *Hullah* - - 33,734
  - Post should be made superior to that held by Deputy Commissioner, *Hullah* - 35,515, 33,633–5
- Instances of Civil Servants taking charge of, *Kelkar* 37,666

Agriculture, Commissioners (*see* Commissioners of Settlement and Agriculture).

Aligarh, College, advocated for training of candidates for I.C.S., and particulars, *Malak* - 36,879, 36,883

Allowances (*see under* Leave *and* Pay).

Annuities (*see* Pensions).

Appointment (*see* Recruitment).

Arabic in syllabus of Civil Service examination (*see under* Syllabus *under* Indian Civil Service Examination).

Assistant Collectors (*see* Collectors, Assistant).

Assistant Commissioners (*see* Commissioners, Assistant).

B.

Banias, number in judicial branch of P.C.S., *Kelkar* 37,681

Barristers:
- Appointment from (*see under* Recruitment *under* Judicial Branch).
- Average incomes made by, *Sahasrabuddhy* - 36,688
- Employed by moneylenders, particulars, *Sahasrabuddhy*, 36,752–4; *Dick*, 37,158–61, 37,165–3.
- Examinations, Indians going to England for, particulars *re*, *Moss-King* 33,874, 34,165–8, 34,173
- Indians failing for I.C.S. might go to Indian bar, *Moss-King* - - - - - - 34,175–6
- Law graduates often go in for the bar in preference to becoming munsifs, *Paranjpe* - - 36,048–54
- Qualified to fill judgeship if properly trained, *Dick* 37,061–4
- Work in India different from work in England, *Dick* 37,160–73

Basim, Sub-Divisional Officers of, local allowances payable to, *Hullah* - - - - - 33,734

Bengal:
- Invidious to have grade of Rs. 1,000 in, and not elsewhere, *Khan* - - - - - 35,583
- Sub-divisional officers often do not come in contact with other Europeans for months at a time, *Khan* 35,571

Berar Provincial Civil Service, amalgamated with Central Provinces Provincial Service, *Thakur* 35,593

Bombay:
- Executive Council, no member from judicial side appointed to, for years, *Mudholkar* - 37,610–1
- Judicial branch, constitution, compared with that in Central Provinces and Berar, *Stanyon* 34,399–402
- Provincial Civil Service, suggestion to throw open posts in, to residents in Central Provinces not supported, and Bombay men would not be welcomed in Central Provinces P.C.S., *Paranjpe* 36,092–5

Brahmans:
- Administrative capacity, *Mudholkar* - - 37,191
- EDUCATIONAL ABILITIES:
  - Honours in B.A.'s and B.Sc's. taken by, statistics and marked increase, *Slocock* - - - 36,468
- Number in judicial branch of P.C.S., *Kelkar* - 37,681
- PREPONDERANCE:
  - in Judicial branch P.C.S., *Dick* - - - 36,934
  - in P.C.S., *Khan*, 35,252; *Thakur*, 35,597.

Burma, excluded from calculations of Public Service Commission, *Mudholkar* - - - 37,446–8

C.

Calcutta, College, advocated for training of candidates for I.C.S., *Malak* - - - - - - 36,879

Caste Prejudice:
- Predominance of Indians in I.C.S. not welcome owing to, *Khan* - - - - 35,196, 35,445
- Rigidity of distinction between castes fast disappearing, *Kolhatkar* - - - - 37,926

Castes, representation of, in public service (*see* Class representation *under* Recruitment).

Central Provinces, a non-regulation province, *Hullah* 33,838

Central Provinces and Berar Commission Association:
- Constitution, and particulars *re*, *Nelson* 34,687–90
- Letter to Joint Secretaries to Royal Commission on Public Service - - - - - - p. 304–10

Central Provinces Commission:
- Pay inferior to that in other provinces, and dissatisfaction owing to, *Slocock* - - 35,237, 36,335–6
- Promotion of P.C.S. officers into, not advocated, *Paranjpe* - - - - - - - 36,078–80

Chhattisgarh Feudatories, political agent, local allowances payable to, *Hullah* - - - - - 33,734

Chief Commissioner (*see* Commissioner, Chief).

Chief Secretary (*see under* Secretaries).

Christians, Indian:
- Backward community and rules *re* recruitment of non-residents to P.C.S. should be used to secure due representation, *Khan* - - - - 35,251
- Number in P.C.S., *Hullah* - - - - 33,570

Civil List, comparison of present, with that of twenty years ago, *Khan* - - - - - - 35,511

Collectors and District Magistrates:
- Authority to transfer pending cases, and particulars, *Khan* - - 35,528–32, 35,535–6, 35,551–3
- Criminal cases tried by, and preferred for local cases to other judges, *Sahasrabuddhy* 36,762–4, 36,767
- Difference from District and Sessions Judge and particulars *re* separation of magisterial and executive functions, *Slocock* - - 36,585–90
- Duties as Collector of Land Revenue and Revenue Court and particulars *re* police duties, &c., *Dick* 36,903, 37,123–30

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Collectors and District Magistrates—*continued.*
Magistracy of district should not be held by, *Mudholkar* - - - - - - - 37,196
Member of I.C.S. required as, and particulars *re* position, *Dick* - - - - - - - 36,903
Number and particulars *re*, *Hullah* - - 33,528
Open competition:
Fails to produce competent, and reasons, *Kolhatkar* - - - - - - - - 37,805
Procured by, satisfactory, *Mudholkar* - 37,187
Powers, a few cases of abuses of, known, and particulars *re*, *Stanyon* - - - 34,518–22
Senior, junior officer should always be placed under, for first two years of service, and particulars *re*, *Shukla* - - - - - - - - - 35,095
SEPARATION OF FUNCTIONS:
not Advocated, and reasons, *Stanyon*, 34,523–4; *Khan*, 35,235, 35,314–7.
Favoured by small educated minority, but not by masses, *Stanyon* - - - - - 34,517
Scheme if Judicial Branch separated, *Mudholkar* 37,279
Training, special courses might be desirable, but not practicable, *Hullah* - - - - - 33,822–4
(*see also* Commissioners, Deputy.)

Collectors, Assistant:
Few married, *Hullah* - - - - - - 33,811
Go straight to district on arrival in India, *Hullah* 33,796–8
PAY:
Amount, particulars of tentage allowance, &c., and question as to adequacy, *Hullah* 33,799–813
Increase on arrival in India, advocated, *Hullah* 33,814

Collectors, Deputy:
Merging of inferior posts in P.C.S., increases number of, from four to eight, *Nelson* - - - 34,861
Number and particulars, *Hullah* - - - 33,528
Recruitment (*see* Recruitment, P.C.S.).

Colonial Civil Service Examination, combination with Indian Civil Service Examination (*see under* Indian Civil Service Examination).

Colonials should be excluded from Indian Civil Service, *Malak* - - - - - - - - - 36,771

Commerce, young B.A.'s advised to go in for, owing to congestion of legal profession, *Paranjpe* 36,055–7

Commissioners:
Indians eligible for post as, *Dick* - - - 36,910
Listed posts should include the post of, *Paranjpe*, 35,908; *Kolhatkar*, 37,829.
Nomination of candidates for direct recruitment by, suggestion that lists should be kept in offices of, *Thakur* - - - 35,595, 35,638, 34,742–8
Number and proposals *re*, *Hullah*, 33,529–30; *Nelson*, 34,890.
only One class advocated, and particulars *re* salary, *Moss-King* - - - - - - - - 33,896
PAY:
Pay and grading, statement, *Hullah* - - 33,531
Scheme, *Hullah*, 33,530; *Nelson*, 34,655, 34,663.
Pensions, grant of additional, advocated, *Hullah*, 33,550; *Slocock*, 36,349.
Post, when listed, should be held on full pay, *Stanyon* - - - - - - - - - 34,246
Procured by open competition satisfactory, *Mudholkar* 37,187
Selection from P.C.S., particulars if separate cadre organised, *Slocock* - - - - - 36,626–9

Commissioners, Assistant:
Alteration of title to Assistant Collector, only objection would be sentimental one, *Nelson* - 34,820
Acting in superior grade does not involve increased responsibilities, *Nelson* - - - - 34,659
Appointments, number of, *Hullah* - - 33,528
in Executive branch, number appointed, *Hullah* 33,565
FIRST CLASS:
Cadre cut down by abolition of one post, *Hullah* 33,669
Indian Civil Service recruits of many years' standing still serving as, *Hullah*, 33,531; *Slocock*, 36,308; *Dick*, 36,896.

Commissioners, Assistant—*continued.*
LISTED POSTS:
Two merged in P.C.S., *Hullah*, 33,503, 33,669–70; *Thakur*, 35,593, 35,606; *Slocock*, 36,314.
should be Made responsible for probationers in district, scheme, *Thakur* - - - 35,598
Number, *Hullah*, 33,529; *Thakur*, 35,720 2.
Number fixed solely with view to number of superior posts open to Indian Civilians, and posts cannot be listed, *Nelson* - - - 34,606
PAY:
Grading:
Proposals *re*, *Hullah* - - - - 33,530
Statement, *Hullah* - - - - - 33,531
Rates of, *Hullah* - - - - - 33,529
Reasonable, *Hullah* - - - - - 33,701
Scheme *re* pay and grading, *Nelson* - 34,655
Time-scale, advocated up to tenth year of service and particulars, *Khan* - - - 35,338–43
Promotion over heads of members recruited from P.C.S. objected to, and particulars, *Slocock* 36,525 8, 36,535–7

Commissioners, Chief:
Extra pension suggested for, *Slocock* - - 36,349
Nomination to P.C.S. of candidates from good families should be entrusted to administration or, but Board not recommended, *Paranjpe* 36,000–1
Power to appoint probationers as reserve, if necessary, *Thakur* - - - - - - - 35,602
Power to grant appointments to Europeans and Eurasians not having secured a degree and particulars and remarks *re*, *Thakur* - 35,818, 35,822–3
Power to exempt Indians of noble family under exception to rules *re* recruitment, should be granted to, *Thakur* - - - - - 35,829–38
Rates of pay, and number of posts, *Hullah* - 33,529
Recommendations *re* sending policemen to training school sent to, *Slocock* - - - - - 36,455

Commissioners, Deputy:
Alteration of title to Collector, only objection would be sentimental one, *Nelson* - - - 34,820
Acting in superior grade does not involve increased responsibilities, *Nelson* - - - - 34,659
Age of appointment as, too high, and suggestions, *Slocock* - - - - - 36,308, 36,389 91
Clerks, prospects of, *Hullah* - - - 33,792–4
District Judge's work formerly done by, particulars, *Mudholkar* - - - - - - - 37,281
Duties vary with district, *Khan* 35,297, 35,330–5
Experience of military officers recruited in India as, and number, *Kelkar* - - - - 37,671
Functions as district magistrate and head of police would be lessened by separation of judicial and executive branches, *Khan* - - - 35,314 7
HOURS OF WORK:
Extra work in camp, *Khan* - - - 35,392
Vary according to man and district, but six average, and not unduly heavy, and particulars, *Khan* - - - - - 35,299 300, 35,392
Indians not considered fit for, and reasons, *Moss-King* - 33,874, 33,913–4, 34,125, 34,158 63
Listing of more posts advocated, *Hullah*, 33,856; *Walayatullah*, 34,943, 34,982, 35,012; *Thakur*, 35,807 9; *Paranjpe*, 35,908; *Kelkar*, 37,673.
should be Made responsible for probationer in district, scheme, *Thakur* - - - - 35,598
Must be district magistrate with magistracy subordinate to him, scheme, *Dick*, 36,903, 37,131–7, 37,174 7
Number of, *Hullah*, 33,528 9; *Dick*, 37,178 9.
Officer acting as, for eight years who has never drawn pay or reached grade of, and particulars *re*, *Nelson* - - - - - - - - 34,660
PAY:
Present rates, *Hullah*, 33,514, 33,529; *Nelson*, 34,640; *Slocock*, 36,330, 36,334.
Proposed rates, *Hullah*, 33,530 1; *Nelson*, 34,655.
Time-scale should be applicable to, *Khan*, 35,344–7; *Slocock*, 36,339.
Relations with Indians, particulars *re*, *Shukla* 35,180–1

Commissioners, Deputy—*continued.*
Selected, junior members are sent to, for training after taking up appointment, *Nelson* - 34,629
Twenty-eight with five Commissionerships open to them proposed, *Hullah* - - - - 33,816
(*see also* Collector and District Magistrate.)

Commissioners of Excise:
Extra Assistant, abolition of post, proposed, *Hullah* 33,574
Listed posts should include the post of, *Kolhatkar* 37,829
Local allowances payable to, *Hullah* - - 33,734
Personal assistant to, removal of post from P.C.S., and inclusion in provincial service of excise department, advocated, *Thakur* - - 35,600

Commissioners, Extra Assistant:
ALTERATION OF TITLE IN FAVOUR OF TITLE OF DEPUTY COLLECTOR:
only Objection would be a sentimental one, *Nelson* 34,820
Proposed, *Walayatullah* - - 34,945, 35,059 62
Appointed to officiate as Deputy Commissioners during temporary vacancies, *Thakur* - - 35,606
Burma, treated as first-class officers for travelling and daily allowance, *Thakur* - - - - 35,630
Cases of refusals of posts as, owing to better prospects outside P.C.S., and probability of more such cases in future, *Thakur* - - - 35,595, 35,737–40
Criminal cases tried by, and legal qualifications should be insisted on, *Dixit* - 36,172, 36,206
GRADING:
Alterations necessary, *Kolhatkar* - - 37,855
Present grading, *Thakur*, 35,593; *Paranjpe*, 35,942
History of, and particulars, *Thakur*, 35,593; *Paranjpe*, 35,942.
NUMBERS:
Increase necessary, *Dixit* - - - - 36,026
Present numbers, *Kolhatkar* - - - 37,852
Officiating, rates of pay, and number of posts, *Hullah* 33,583
PAY:
Comparison with that of District Judge, *Kelkar* 37,799
Improvement suggested, *Walayatullah*, 34,947, 34,950; *Shukla*, 35,129; *Thakur*, 35,609, 35,611; *Khan*, 35,253, 35,402; *Dixit*, 36,172; *Kolhatkar*, 37,852.
Travelling allowance:
Amount allowed, and increase advocated, *Kelkar* 37,800–3
of Second-class officers given for purposes of daily allowances, and suggestion for treatment as first class, *Thakur* 35,630, 35,682, 35,749–50
Probationary, rates of pay, and number of posts, *Hullah*, 33,583; *Khan*, 35,253, 35,403.
Promotion to, particulars of, *Dixit* - - 36,172
Tahsildars successful as, *Thakur* - - - 35,595
TEMPORARY:
Appointment on account of lack of men in service, and work and particulars *re*, *Walayatullah* 34,937
Rates of pay and number of posts, *Hullah* - 33,583
Title dropped, *Hullah* - - - - - 33,583
Transfers, loss incurred through, and reasonable actual expenses on, suggested, *Thakur* - 35,630, 35,749
Work, particulars *re*, and case of overwork, *Thakur* 35,654–60, 35,692–8, 35,719, 35,847 53

Commissioners, Financial:
Extra pension suggested for, *Slocock* - - 36,349
Rates of pay, and number of posts, *Hullah* 33,529

Commissioners, Judicial:
ADDITIONAL:
First, rates of pay, and number of posts, *Hullah* 33,529
Post should be held on full pay, *Stanyon* 34,246
Second, rates of pay and number of posts, *Hullah* 33,529
COURT:
Consists of four judges, and particulars *re*, *Stanyon* 34,311, 34,326–8, 34,392
Pay, two-thirds rule not approved, *Kolhatkar* 37,845

Commissioners, Judicial—*continued.*
COURT—*continued.*
Registrar of:
Deputy, pay same as for subordinate judges in Judicial Branch, *Hullah* - - - 33,565
Local allowances payable to, *Hullah* - 33,734
Extra pension suggested for, *Slocock* - - 36,349
Listed posts should include one of, *Paranjpe*, 35,953, 35,957; *Kelkar*, 37,682; *Kolhatkar*, 37,673, 37,829.
Number, *Hullah*, 33,529; *Kelkar*, 37,673.
Number included in Civil Service cadre, *Hullah* 33,716
One post should be filled by barrister or pleader if number of posts increased, *Kelkar* - - 37,682
One post held by non-Civil Service man, and reason, *Hullah* - - - - - - - 33,717–22
PAY:
Higher than Commissioners at present, proposed, *Hullah* - - - - - - - - 33,816
Rates of, *Hullah* - - - - - 33,529
no Time to make personal inspections, *Stanyon* 34,313
Work of, *Dixit* - - - - - - 36,200

Commissioners of Settlement and Agriculture:
Assistant, numbers of P.C.S. appointed to act as, *Thakur* - - - 35,593, 35,606
Local allowance, payable to, *Hullah* - - 33,734
Rates of pay, and number of posts, *Hullah* - 33,529

Communities, backward, representation in public service (*see* Class representation *under* Recruitment).

Congress, Indian, question of agitation if recruitment of Indians by open competition restricted to one-third, and particulars, *Madholkar* - 37,322–3, 37,325, 37,332, 37,335–6

Conditions of Service, I.C.S.:
Inferior posts, system approved, *Hullah*, 33,512, 33,673–7; *Nelson*, 34,638; *Khan*, 35,232.
QUINQUENNIAL EXAMINATION:
Present system not adequate to regulate rate of recruitment and flow of promotion, and reasons, *Nelson* - - - - - - - - 34,650
Sufficient, except in certain cases, *Hullah* 33,524
SUPERIOR POSTS:
All posts entered as, do not carry salary of more than Rs. 1,000 per mensem, *Nelson* 34,641, 34,803–4
Allowance of 35 per cent. on, excess of junior officers not caused by, *Hullah*, 33,519; *Nelson*, 34,645.
Approved, *Hullah* - - - - - 33,511
Approved and no change in, advocated if age of recruitment lowered, *Nelson*, 34,637; *Slocock*, 36,308, 36,329.
no Difficulty in working with number of, *Nelson* 34,641
Five, held by, junior officers not drawing Rs. 1,000, and should be included in inferior posts, *Moss-King* - - - - - - 33,888–9
Giving future judicial and executive officers experience in both branches, arrangement suggested, *Hullah* - - - - - 33,687
Incorrect list of, and difficulties of working owing to, *Slocock* - - - - - - 36,331–2
Large proportion of junior officers filling, in 1910 and 1909 due to amount of leave taken by senior officers, *Hullah* - - - - - 33,638–9
List incorrect, and corrections, *Hullah* - 33,514
Number, *Nelson* - - - - - - 34,848
Number allowed for temporary appointments corresponds with actual experience, *Hullah*, 33,517; *Nelson*, 34,599, 34,642.
Number of officers below, should be reduced, *Moss-King* - - - - - - - - 34,116
Officers on deputation in, list, *Hullah* - 33,517
Ordinarily held by officers in I.C.S. or members of Commission, *Hullah* - - - - 33,515
Reduction of period before obtaining:
not Approved, *Moss-King* 34,114–24, 34,146–54
Block in promotion caused - - - p. 306
Extent, and opinion *re*, *Nelson* - 34,806–9

Conditions of Service, I.C.S.—*continued.*
SUPERIOR POSTS—*continued.*
Five years suggested, *Moss-King* 33,887, 33,928–9
would Necessitate reduction in cadre, *Moss-King* 33,929–31
undesirable, *Hullah* - - - 33,609, 33,673 7
System approved, *Moss-King*, 33,887, 33,928–9; *Nelson*, 34,637; *Khan*, 35,231; *Paranjpe*, 35,935.
TEMPORARY, METHOD BY WHICH OFFICERS RECRUITED AGAINST, ARE SHOWN IN LOWEST GRADE:
Satisfactory, *Hullah* - - - - - 33,518
Unsatisfactory, *Nelson* - - - - 34,644
Training in executive functions valuable for either judicial or executive posts afterwards *Hullah* 33,673–7

Co-operative Credit Societies, Registrar of:
Entered as superior post, but does not receive superior pay, *Moss-King*, 33,888; *Nelson*, 34,641.
Listing of one post advocated, *Kelkar* - - 37,673
Local allowances payable to, *Hullah* - - 33,734
PAY:
Rates of, and number of posts, *Hullah* - 33,529
Scheme, *Hullah*, 33,515, 33,633–5; *Nelson*, 34,641.
Post should be made superior, and be held by Deputy Commissioner, *Hullah* - - 33,515, 33,633–5
Service, and length, *Nelson* - - - - 34,804

Cost of living, increase, *Shukla*, 35,192–3; *Slocock*, 36,354.

Council(s):
Executive, creation of new, *Mudholkar* - - 37,191
Legislative, expansion and elevation, *Mudholkar* 37,191
MEMBERS:
One should belong to judicial branch, *Mudholkar* 37,196, 37,607, 37,612
special Pension, advocated, and particulars *re*, *Nelson* 34,677
Secretary of State's (*see under* India Office).
VICEROY'S:
Extra pension suggested for, *Slocock* - - 36,349
Permanent membership of, should be crowning point of Indian career, and in no case lead to headship of province, *Nelson* - - - 34,684

Courts, High:
strong British element necessary in, *Dick* - 36,903
European element expected in, *Dixit* - - 36,263
Lack of despatch in conducting trials, *Khan* - 35,198
Pensions, arrangements, Sir Ralph Benson's views agreed with, *Khan* - - - - - 35,245
Recruitment from the Bar, no intention to stop, *Mudholkar* - - - - - - 37,608

Courts, Small Cause:
Judges (*see under* Judges).
Merged in P.C.S., and consequent reduction of salaries, not approved, *Kolhatkar* - - 37,828
Powers have been made more extensive than should be the case, *Stanyon* - - - - - 34,315

Covenant, revision advocated, *Nelson* - - 34,684

Criminal Procedure Code:
Checks on injustice by, *Khan* - - - 35,235
powers of Magistrate to call witnesses for cases under, *Slocock* - - - - - - 36,620–2

D.

Departmental Examination (*see under* Training).

Deputation posts, number and nature of, in 1912, *Hullah* - - - - - - - - 33,640–1

Deputy Collectors (*see* Collectors, Deputy).

Deputy Commissioners (*see* Commissioners, Deputy).

Deputy Tahsildars (*see* Tahsildars, Deputy).

Dick, George Paris, evidence of - 36,895–37,186

Director of Agriculture (*see under* Agricultural Department).

District and Sessions Judges (*see* Judges, District and Sessions).

District charges, Englishmen preferred by Indians, *Nelson* - - - - - - - - - 34,611

District Officers:
European, overworked, *Shukla* - - 35,121–3
Reduction in power or influence of, would cause general slackening of administration, *Nelson* 34,653
Relations with Indians, particulars, and suggestions, *Shukla* - - - - - - - - 35,182–4

Districts:
Apportionment of judicial officers over, particulars, *Mudholkar* - - - - - - - 37,281
too Large, and sub-division advocated, *Dick* 36,895, 36,967–74, 37,007–9

Divisional Judges (*see* Judges, Divisional and Sessions).

Dixit, Moro Rajaram, evidence of - 36,141–36,302

E.

Education:
B.A.'s, number of, per annum, *Paranjpe* - 36,043–4
Development, *Dick* - - - - - - 36,895
AT PUBLIC SCHOOL:
Value of, *Moss-King* 33,870, 33,898 900, 33,870, 34,067, 34,074–82
Schools, first-class European, none, *Thakur* - 35,820
EFFECT OF SIMULTANEOUS EXAMINATION ON:
would be Good, *Mudholkar* - - 37,422–5
would not React unfavourably, *Paranjpe* 36,068

Educational Department:
Admission of Indians into service rare, *Kelkar* 37,661
Head of Department should be member of I.C.S., *Dick* - - - - - - - - - 36,910
Instances of Civil Servants taking charge of, *Kelkar* 37,666
Pension, additional, to certain officers of high rank, may be sanctioned on certain conditions, *Hullah* 33,550
Time-scale satisfactory, *Paranjpe* - - - 35,960

Ellichpur, sub-divisional officers of, local allowances payable to, *Hullah* - - - - - - 33,734

Engineering Department:
Imperial branch of, very few Natives of India obtain admission into, since abolition of Cooper's Hill College, *Kelkar* - - - - - - 37,661
Time-scale working satisfactory in, *Paranjpe* - 35,960

Engineers:
ASSISTANT:
Treated as first class officers for travelling and daily allowances, *Thakur* - - - 35,630
Chief, pension, amount, *Hullah* - - - 33,550

Eurasians:
Number in P.C.S., *Hullah*, 33,570; *Shukla*, 35,102.
Reversion to British type of character possible under favourable conditions, *Stanyon* - - 34,555–8
Training, particulars *re*, *Stanyon* - - 34,455–66

European officials:
Closing of open competition against Indians, advocated if any danger of swamping, *Slocock* 36,305, 36,360
Comparison with Indian, *Nelson*, 34,611; *Dixit*, 36,160, 36,292–3.
no Danger of swamping, by Indians, and particulars, *Dixit* - - - - - 36,142, 36,248–52
EMPLOYMENT OF MINIMUM PROPORTION IN HIGHER POSTS:
Advocated and suggestions *re*, *Nelson*, 34,599; *Shukla*, 35,081, 35,111–8; *Dixit*, 36,154, 36,181, 36,290–2; *Slocock*, 36,474; *Malak*, 36,782, 36,800–2; *Dick*, 36,895, 37,067–8, 37,072–3; *Mudholkar*, 37,191, 37,203, 37,254, 37,331, 37,402, 37,543–5; *Kolhatkar*, 37,882.
Fixing of, not compatible with idea of efficiency as first consideration, *Paranjpe* - - 35,90
in Judicial branch not necessary, *Dixit* - 36,18

European Officials—*continued.*
EMPLOYMENT OF MINIMUM PROPORTION IN HIGHER POSTS—*continued.*
Importance of, and no danger of swamping by Indians, *Paranjpe*, 36,064–6; *Mudholkar*, 37,191, 37,245, 37,251–3, 37,292–8, 37,319–20, 37,325, 37,402, 37,428–34, 37,545–6.
Importance of preserving and obtaining superior class of men, and particulars, *Slocock* - 36,354
Increase in number of, *Khan* - 35,226, 35,413–24
Main consideration in view of Government, but British element preferred to, *Mudholkar* 37,191 37,392 8, 37,428 34
MAINTENANCE OF PROPORTION:
Importance of, *Moss-King*, 33,874, 34,127, 34,129–30; *Stanyon*, 34,203, 34,256; *Walayatullah* 34,922–3, 35,037–43; *Mudholkar*, 37,191, 37,252–3.
PREPONDERANCE:
Advocated, and financial considerations with regard to, *Khan* - - - - 35,196, 35,360–62
Necessary in higher services, *Nelson* - - 34,599
Exchange Compensation Allowance (*see under* Pay, I.C.S.).
Excise:
Commissioner (*see* Commissioner of Excise).
Department of: removal of ten posts from Provincial Civil Service to, advocated, *Thakur* 35,600–1, 35,799
Executive Branch, I.C.S.:
Bifurcation between Judicial Branch and (*see under* Judicial Branch, I.C.S.).
Europeans, minimum of, advocated, *Dixit* - 36,290
Examination, on present lines suitable, and scheme, *Mudholkar* - - - 37,196, 37,274, 37,583–95
Judicial functions, combination and separation (*see under* Judicial Branch, I.C.S.).
Junior executive officers should sometimes be interchanged with judicial, *Hullah* - - - 33,686
Larger number of officers employed in, *Kelkar* 37,748
Magisterial functions, continuance advocated till separation of judicial effected, *Kolhatkar* 37,893–4
PENSIONS:
Suggestions *re* special, *Hullah*, 33,550; *Moss-King*, 33,892; *Nelson*, 34,677; *Khan*, 35,246.
(*see also* Pensions, I.C.S.)
PROBATION:
Schemes, *Stanyon*, 34,211; *Mudholkar*, 37,212, 37,216, 37,417–8; *Kolhatkar*, 37,831, 37,842.
(*see also* Probation, I.C.S.)
RECRUITMENT:
from I.C.S. more suitable for, than for Judicial Branch, *Dixit* - - - 36,188, 36,289
Scheme, *Kolhatkar* - - 37,811, 37,866–72
(*see also* Recruitment, I.C.S.)
Separation of Executive and Judicial functions (*see under* Judicial Branch, I.C.S.).
Staff, adequate, *Khan* - - - - - 35,301
TRAINING:
in Judicial work, advocated, *Kolhatkar* - 37,895
in Law, increase not required, *Stanyon*, 34,223; *Khan*, 35,228, 35,286.
(*see also* Training, I.C.S.)
Executive Branch, P.C.S.:
CADRE:
Increase required, *Walayatullah*, 34,937, 34,988–92; *Dick*, 36,935.
Leave reserve suitable, *Hullah* - - - 33,575
Revision, effect of last, *Hullah* - - - 33,583
Revision of, under consideration, *Hullah* - 33,574
"Self-contained," and no officiating promotion given, *Hullah* - - - - - - 33,585
Strength of, *Hullah*, 33,565; *Thakur*, 35,592–3, 35,601; *Kolhatkar*, 37,852.
System of fixing strength, *Hullah* - - 33,574
CLASSES:
All duly represented, *Dick* - - - - 36,934
Hindus, inadequately represented, *Paranjpe* 35,945
Functions and importance of, *Walayatullah* 34,947, 34,989–90
Judicial functions, combination and separation (*see under* Judicial Branch, P.C.S.).
Knowledge of law as important to, as to judicial officer, and candidates for should be law graduates, and particulars *re*, *Thakur* - - - - 35,595

Executive Branch, P.C.S.—*continued.*
no Listed post held permanently by members of, and particulars, *Walayatullah*, 34,943; *Thakur*, 35,606.
PAY:
Alterations suggested, *Hullah*, 33,741, 33,584; *Khan*, 35,253, 35,404; *Kolhatkar*, 37,852.
Revision, effect of last, *Hullah* - - - 33,583
Travelling allowance, officers on Rs. 500 only granted, at 2nd class officer's rates, *Hullah* 33,583
(*see also* Pay, P.C.S.)
PROMOTION:
Number of officers superseded for, *Hullah* 33,578, 33,622
Particulars *re*, *Paranjpe* - - - - 35,942
Prospect of slight block in, *Hullah* - - 33,577
(*see also* Promotion, P.C.S.)
RECRUITMENT:
from Clerical service, more formerly, *Hullah* 33,795
by Competitive examination:
Advocated, *Kelkar* - - - - 37,680
not Advocated, *Dixit* - - - 36,213–4
Partly advocated, and proportion and particulars, *Walayatullah* - - - 34,933, 35,032–3
Direct, number taken up with, no previous training and success, *Thakur* - - - - 35,595
Direct appointment by competitive examination for half, appointment from subordinate services for two-sixths, and nomination of residents for one-sixth advocated, *Mudholkar* 37,228, 37,230, 37,283, 37,295
by Direct nomination, and promotion from subordinate service, and suggestions *re*, *Walayatullah* 34,932–3, 35,022
only Graduates admitted, *Paranjpe* - - 35,943
Graduate qualification should apply to Anglo-Indians as well as Indians, *Dick* - - 36,932
Normal rate, *Hullah* - - - - 33,577
of Officers from other services, most of officers would not have started on appointments below Rs. 50, *Hullah* - - - - - 33,785–6
Particulars *re*, *Paranjpe* - - - - 35,942
Reservation of percentage of posts for hereditary claimants, approved, *Paranjpe* 35,943, 35,997–6004, 36,058–9
Riding as necessary qualification, advocated, *Walayatullah* - - - - - 34,930
Rules: appointments by nomination, standard of ability should not be lowered, and particulars *re* qualifications, *Walayatullah* 34,930, 35,023–4
Selection as at present with preference to law graduates advocated, *Dixit* - 36,172, 36,210–2, 36,216, 36,232–3
(*see also* Recruitment, P.C.S.)
should be Relieved entirely from Judicial work if separation from Judicial takes place, *Kolhatkar* 37,853, 37,891
TRAINING:
System, *Hullah* - - - - - - 33,571
(*see also* Training, P.C.S.)
WORK OF:
Criminal, done by, *Hullah*, 33,580; *Dixit*, 36,176.
Criminal, should be transferred to judicial branch, *Dixit* - 36,176, 36,206, 36,226–31, 36,297–8
Details of, *Walayatullah*, 34,989; *Thakur*, 35,660–7.
Revenue cases tried by, *Hullah* - - - 33,580
Executive Councils, creation of new, *Mudholkar* 37,191
Executive Subordinate Service, number and pay, and grading of officers and scheme for improvement, *Kolhatkar* - - - - - - - 37,852
Extra Assistant Commissioners (*see* Commissioners, Extra Assistant).

F.

Family Pension Fund (*see* Indian Services Family Pension Fund).
Financial Commissioners (*see* Commissioners, Financial).

Financial Department:
Instances of Civil Servants taking charge of, *Kelkar* 37,666
Time-scale, particulars *re*, *Nelson* - - - 34,662

Forest Department:
Pensions, additional, to certain officers of high rank, may be sanctioned on certain conditions, *Hullah* 33,550
Time scale satisfactory, *Hullah*, 33,539; *Nelson*, 34,662.

Furlough (*see under* Leave).

G.

General Provident Fund (*see* Provident Fund).

Government of India, Officers on deputation under, number, *Hullah*, 33,614–6; *Moss King*, 34,121

Government of India Act, 1833:
Revocation or modification unnecessary if recruitment of Indians restricted, *Mudholkar* - 37,189, 37,191, 37,332–3
not Violated by present system of recruitment, *Stanyon*, 34,511–4; *Nelson*, 34,582,

Government Scholarships (*see* Scholarships).

Grading (*see under* Pay).

H.

Head of a district, reduction in power or influence of would cause general slackening of administration, *Nelson* - - - - - - - - - 34,653

Heads of Provinces, Pensions of:
Grant of additional, after 3 years' service, advocated, *Hullah* - - - - - - - - 33,550
Special, advocated, and particulars *re*, *Nelson* - 34,677

High Courts (*see* Courts, High).

Higher services, recruitment, distinction in principle from subordinate services advocated, *Dixit* 36,234–5

Hindus:
Compulsory probation in England, obstacle in way of, *Kelkar* - - - - - - - - 37,676
Education, honours in B.A. and B.Sc., taken by, statistics and increase, *Slocock* - 36,305, 35,468
Inadequately represented in executive branch of P.C.S., *Paranjpe* - - - - - - 35,945
Number in P.C.S., *Hullah*, 33,570; *Shukla*, 35,102.

Hindustani, Brahmans and Kayastha, number in judicial branch of P.C.S., *Kelkar* - - - 37,681

Home Civil Service:
Examination, combination with Indian Civil Service Examination (*see under* Indian Civil Service Examination).
Method of selection and appointment suggested for recruitment from P.C.S. to I.C.S., practised in, and complaints, *Slocock* - - - 36,551–3

House accommodation, at rental of not more than 5 per cent. of officer's pay, advocated, and particulars, *Walayatullah* - 34,967, 35,009–11, 35,017–21

Hullah, John, I.C.S., evidence of - - 33,499–868

I.

Imperial Service, separate cadre, confined to Indians and recruited in India, advocated, and scheme, *Stanyon* 34,198, 34,200, 34,203, 34,257–8, 34,266–72, 34,337–51

India Office:
RESERVATION OF CERTAIN POSTS IN:
for Members of I.C.S., advocated, and particulars *re*, *Nelson* - - - 34,684, 34,759–69
for Men of Indian experience, advocated, and arrangements suggested, *Slocock* - 36,310, 36,514–24

India Office—*continued.*
Secretaries, importance of knowledge of India by, *Slocock* - - - - - - 36,519, 36,522
SECRETARY OF STATE'S COUNCIL:
Indians appointed to, *Mudholkar* - - 37,191
Term of appointment should be reduced from 7 to 3 years, *Nelson* - - - 34,684, 34,758

Indian Civil Service:
Amalgamation of Central Provinces and Berar cadres applied for, but not yet sanctioned, *Hullah* 33,601–2
Class distinction among Europeans, question of, *Moss-King* - - - - - - 34,092–7
Division of classes, scheme, *Dick* - - - 36,903
Executive side more suitable function for, than judicial, and latter not much desired by members, *Dixit* - - - - - 36,188, 36,289
Improvement of prospects necessary, *Robertson* p. 303
INDIANS, FORMATION OF A SEPARATE CADRE FOR:
Advocated, *Stanyon*, 34,185, 34,198, 34,200, 34,203, 34,257–8, 34,262–72, 34,337–51.
not Advocated, *Slocock* - 35,528, 36,305, 36,421–5
Effect of, *Dick* - - - - - - 37,088–95
Members of other departments should be excluded, *Mudholkar* - - - - - - 37,207
Merging of P.C.S. into (*see under* P.C.S.).
Officers more popular with pleader class than military officers, *Sahasrabuddhy* 36,702–3
Organisation satisfactory, *Nelson* - - - 34,683
Pay of, in Central Provinces, *Hullah*, 33,514; *Nelson*, 34,640.
Popularity, decrease in, reasons, and particulars *re*, *Moss-King*, 33,974–80, 33,995–7, 34,008–12; *Slocock*, 36,354, 36,554–6, 36,560–2.
Proportions of Indians and Europeans, suggested, *Stanyon* - - - - - - - - 34,198
Reserves, particulars *re*, *Mudholkar* - 37,444–5
STRENGTH:
Actual, in excess of theoretical, and particulars, *Hullah*, 33,523, 33,525; *Nelson*, 34,649; *Slocock*, 36,332.
Adequate, *Nelson*, 34,725; *Mudholkar*, 37,224.
Annual decremental rate, years, *Nelson* - 34,648
Particulars *re* number of posts, *Mudholkar* 37,205, 37,435–65
Service overmanned, and explanation, *Dick* 36,925, 36,989–90
Theoretical, reduction in, by reduction of superior posts, cause of discrepancies in Statement B.B. of Appendix VII., *Hullah* - - - 33,523
Superior posts should not be cut off from officers in, and opened up to P.C.S. until claims of officers satisfied, and particulars, *Slocock* 36,305, 36,314, 36,426–31
Two branches from beginning suggested, *Mudholkar* 37,196
(*see also* Conditions of Service, Leave, Pay, *and* Pension.)

Indian Civil Service Act, 1861:
Amendment of Schedule II., desirable, *Nelson*, 34,598; *Khan*, 35,204.
Applies to Central Provinces, and particulars *re* scope, &c., *Hullah* - - - - 33,835–6
Employment of men other than members of P.C.S. subject to conditions of, advocated, *Khan* - 35,197
no Indians appointed under, *Hullah* - - 33,509
Recruitment from the Bar should be subject to conditions of, *Khan* - - - - - 35,363

Indian Civil Service Examination:
AGE-LIMIT:
18–20, advocated, and particulars, *Moss-King*, 33,879, 33,925, 33,983–5, 34,087; *Stanyon*, 34,191; *Slocock*, 36,308, 36,329, 36,374–5, 36,386, 36,479–80, 36,484, 36,570–9.
21–23, advocated, *Dixit*, 36,151; *Kelkar*, 37,667–8.
22–24 (present limits), satisfactory, *Nelson*, 34,594; *Shukla*, 35,076; *Khan*, 35,199, 35,282; *Paranjpe*, 35,895; *Mudholkar*, 37,198; *Kolhatkar*, 37,816.
23, advocated, *Nelson*, 34,590, 34,752; *Sahasrabuddhy*, 36,644.

Indian Civil Service Examination—*continued.*
AGE-LIMIT—*continued.*
25 as maximum for candidates for judicial branch advocated, *Shukla* - - - - - 35,076
Differentiation for Indians, not advocated, *Moss-King*, 33,882; *Nelson*, 34,594; *Shukla*, 35,078; *Khan*, 35,201; *Paranjpe*, 35,897; *Dixit*, 36,151; *Sahasrabuddhy*, 36,646; *Malak*, 36,808–12; *Dick*, 37,907; *Mudholkar*, 37,200; *Kolhatkar*, 37,818.
Extension in favour of Anglo-Indians and Eurasians, advocated, *Stanyon* - - 34,194
Good chance for Indians under present, and particulars, *Dick* - - - - - 36,895
Higher for Indians advocated under present conditions, and particulars, *Malak* 36,778, 36,780, 36,825–6, 36,828–9, 36,803–9, 36,811, 36,821–3
Reduction:
Other facilities for Indians would be considered if decrease an obstacle for Indians, *Moss-King* 33,927, 33,984
Objected to, *Shukla*, 35,076; *Khan*, 35,199, 35,282, 35,373; *Slocock*, 36,375, 36,384, 36,571, 36,576, 36,577–9; *Mudholkar*, 37,408, 37,411–8, 37,511–4, 37,573–6; 37,574–6.
Scheme *re* scholarships in England for Indian graduates impossible if reduction made in, *Khan* - - - - - - - 35,311–3
System in force from 1878–91 most favourable, *Nelson* - - - - - - - - 34,591
University course previous to entrance for examination desirable, *Shukla*, 35,078; *Khan*, 35,199; *Dick*, 36,905, 36,950–1; *Kelkar*, 37,667.
Younger preferred, *Robertson* - - - p. 302
All posts in I.C.S. should be recruited by, *Dick* 36,912, 36,915
Arranged to suit University course in England by Civil Service Commissioners, *Mudholkar* 37,577–8
Best class of Indians not secured under, *Dick* 36,897, 37,096
Best system if fair to all candidates, *Malak* 36,772
only British subjects eligible, and disadvantages, *Mudholkar* - - - - - - 37,188
Candidates failing in, petition *re*, unlikely, *Mudholkar* 37,518
CENTRES:
London only suitable centre if scholarships at disposal of Indian universities, *Paranjpe* 35,888, 36,041, 36,069
London should not be the only one, *Mudholkar* 37,187
no Change advocated, *Nelson* - - 34,578, 34,842
CHARACTER OF CANDIDATES:
Certificate of character should be produced as condition of admission to, *Khan* - 35,194, 35,352–3, 35,426–34
Personal interviews, insisted upon, if held for simultaneous examination, *Mudholkar* - 37,553
Physique and, not sufficiently considered, *Stanyon* 34,180, 34,493–7
Test implied by examination alone, *Mudholkar* 37,191, 37,367–8, 37,546
Closing against Indians advocated, and scheme, *Stanyon*, 34,181, 34,257–62, 34,416–37, 34,498–508; *Slocock*, 36,306, 36,361–9.
COMBINATION WITH EXAMINATIONS FOR COLONIAL AND HOME CIVIL SERVICES:
Advantageous to Indian interests, and desirable, *Moss-King*, 33,872; *Nelson*, 34,580; *Khan*, 35,195; *Paranjpe*, 35,886; *Mudholkar*, 37,190, 37,406, 37,466–82.
not Desirable, and reasons, *Stanyon*, 34,183; *Dixit*, 36,144; *Slocock*, 36,561–2; *Malak*, 36,771; *Dick*, 36,898, 37,102–10.
with Home, but not Colonial Service examinations advocated, and reasons, *Shukla*, 35,068; *Kolhatkar*, 37,807.
Competent men recruited by, *Malak* - - 36,768
Comparison of chances of Indian and Englishman, *Mudholkar* - - - - - - 37,534–40
Continuance advocated, but room for improvement of system, *Stanyon* - - - 34,179, 34,319
Differentiation between natural-born subjects of His Majesty unnecessary, *Nelson*, 34,579; *Paranjpe*, 35,885.

Indian Civil Service Examination—*continued.*
Examination for physical fitness should be more strict - - - - - - - - p. 302
Fails to produce competent district and sessions judges and district magistrates, and scheme for improvement, *Kolhotkar* - - - - 37,805
Importance of conducting examination by Civil Service Commissioners, *Mudholkar* - 37,190, 37,262–3, 37,404, 37,478, 37,480
Indians by birth should live in England for 6 years before appearing at, *Stanyon* - - - *34,199*
Indians failing in, prospects, and suggestions, *Khan*, 35,197; *Mudholkar*, 37,532–3.
List of Indians recruited to I.C.S. by, *Paranjpe* 35,902
List of Natives of India, year of admittance, present rate of salary, and posts in which now serving, *Hullah*, 33,499; *Nelson*, 34,601.
Nomination previous to, satisfactory if practicable, but no particular necessity for, *Slocock* - 36,303, 36,462–4
Objections, no real ground for, and remedies suggested, *Sahasrabuddhy* - - - - 36,637
Preferred by Indians to entrance to service through listed posts, and proposals *re*, *Moss-King* 33,877, 33,981–8, 33,998–4004, 34,167
Retention as only way of recruitment to I.C.S. advocated, *Robertson* - - - - - p. 301
equally Suitable for "Natives of India" and others, *Moss-King*, 33,871, 33,874, 34,165–78; *Paranjpe*, 35,884; *Sahasrabuddhy*, 36,636; *Dick*, 36,895, 36,943.
not equally Suitable for "Natives of India," and disadvantages for Indian student, *Stanyon*, 34,181, 34,257–62, 34,416–37, 34,498–508; *Shukla*, 35,067; *Nelson*, 34,578, 34,842; *Paranjpe*, 35,882; *Dixit*, 36,142, 36,244–7; *Malak*, 36,768–9, 36,770, 36,804–9, 36,811–2, 36,860–4, 36,865–7; *Mudholkar*, 37,187, 37,189, 37,296, 37,419–22, 37,534–40; *Kelkar*, 37,659–60, 37,763–6; *Kolhatkar*, 37,806, p. 301.
System satisfactory, *Stanyon*, 34,199; *Nelson*, 34,576–7, 34,774; *Walayatullah*, 34,922; *Paranjpe*, 35,887; *Dixit*, 36,141; *Slocock*, 36,303, 36,359; *Sahasrabuddhy*, 36,635; *Dick*, 36,895, 36,899, 36,902; *Kelkar*, 37,658, 37,714; *Kolhatkar*, 37,804.
System satisfactory as far as those who can afford to go to England, are concerned, *Shukla* - 35,065
System most satisfactory for Europeans, and particulars, *Mudholkar* - 37,187, 37,367, 37,406
System not satisfactory, and reasons, *Moss-King*, 33,869–70, 34,019; *Shukla*, 35,066–7.
SYLLABUS:
not Adapted for Indians, *Khan* 35,203, 35,276–7
Alterations suggested, reasons and particulars, *Stanyon*, 34,195; *Shukla*, 35,079; *Dixit*, 36,152, 36,237–40, 36,242; *Malak*, 36,769, 36,810–2; *Mudholkar*, 37,188, 37,347, 37,350–6; *Kolhatkar*, 37,819.
Colloquial Hindustani suggested, but suggestion withdrawn, *Dick* - - - 36,922, 37,049
Differentiation not desirable, *Stanyon*, 34,196; *Nelson*, 34,597; *Shukla*, 35,080; *Paranjpe*, 35,899; *Dixit*, 36,153; *Dick*, 36,909; *Mudholkar*, 37,201, 37,403; *Kolhatkar*, 37,820.
English literature not an important part of, and details, *Mudholkar* - - - - 37,350–6
should be Equally difficult for English and Indians, *Malak* - - - - - 36,808–12
Hindi should be included, *Shukla* - - 35,079
Hindu law advocated, *Mudholkar* - - 37,188
Indian history advocated, and particulars, *Shukla*, 35,079; *Khan*, 35,203; *Paranjpe*, 35,883, 35,899; *Dixit*, 36,152; *Malak*, 36,781, 36,868–71; *Mudholkar*, 37,188; *Kolhatkar*, 37,819.
Italian, may be omitted, *Shukla* - - - 35,079
Jurisprudence, general principles of, should be compulsory, *Nelson* - - - - 34,623
Law should be compulsory subject, *Nelson*, 34,595, 34,622, 34,633; *Sahasrabuddhy*, 36,658.
Lord Macaulay's Committee, principles of:
Approved, and particulars, *Khan*, 35,202, 35,216; *Paranjpe*, 35,898, 35,916; *Kelkar*, 37,669.
not Fulfilled under present system, and suggestions, *Slocock* - - - - 36,308

Indian Civil Service Examination—*continued.*
SYLLABUS—*continued.*
Oriental languages advocated, *Malak* 36,781, 36,868–71
Riding should be compulsory, *Dick* - 36,908, 37,049–51
Sanskrit and Arabic and Persian, raising of marks to level of Greek and Latin, suggested, *Shukla*, 35,079; *Khan*, 35,203, 35,277; *Paranjpe*, 35,883, 35,899; *Dixit*, 36,152; *Mudholkar*, 37,188, 37,347; *Kolhatkar*, 37,819.
Satisfactory from Western point of view, but prolonged contact with Western ideas necessary for Indian candidate, *Khan* - - 35,454–5
Student required to supplement University subjects by other studies, *Dixit* - 36,237–40, 36,242
Vernaculars:
Advocated, *Dixit* - - - - - 36,152
Compulsory for Europeans suggested, and particulars, *Malak* 36,769, 36,804–9, 36,811

Indian Languages (*see* Oriental Languages *and* Vernaculars).

Indian Services Family Pension Fund:
ADMISSION OF NATIVES OF INDIA TO:
Compulsory, advocated, *Hullah*, 33,561; *Nelson*, 34,681–2.
Desirable, and scheme *re* separate fund at start, *Hullah* - - - - - 33,560, 33,562
CONTRIBUTIONS TO:
should Cease on completion of 25 years' service, and rates of contribution should be raised, *Hullah* - - - - - - - 33,559
should Cease after retirement, *Nelson* - 34,680
should Cease after retirement, and be suspended during furlough, *Moss-King* - - - 33,895
Pensions to sons should be continued to 24, *Nelson* 34,680
for P.C.S., no demand for, known of, *Hullah* 33,648

Indian Students:
IN ENGLAND:
Advantages of training and education, now realised by, *Thakur* - 35,617, 35,839–41
at Cambridge, increase, *Khan* - - - 35,295
Content with alien conditions of life harmless in case of selected graduates in India, *Khan* 35,354–7
False position on return to India, *Stanyon* 34,417, 34,422–38, 34,498–508
Number, and choice of professions and particulars *re* careers, *Kelkar* - - - - 37,769–82
Obligatory period at Oxford or Cambridge, desirable, *Khan* - - - - - 35,223
Supervision in England necessary, and schemes for, being prepared, *Sahasrabuddhy* - 36,637, 36,697–700
Scholarships (*see that title*).

Indians:
ADMISSION TO SERVICE:
through Listed posts, prohibition greatly to disadvantage of P.C.S., *Moss-King* - 33,986–8
of More advocated, *Dick* - - - - 36,944
not Objected to, *Moss-King* - - - 33,905
Aspirations for employment in higher services, particulars *re*, and would be satisfied to great extent by creation of few more posts in P.C.S., *Nelson* - - - - - - - - 34,862–5
CIVILIANS:
Certain districts manned by, *Stanyon* - 34,340
Exertion of authority more difficult for than for English, *Dick* 36,895, 37,023, 37,131–7, 37,174–7
Classes, distinct from races, and particulars *re*, *Dick* 37,029–31
Comparison with Europeans, *Nelson*, 34,611; *Dixit*, 36,160, 36,292–5.
DEFINITION OF "NATIVES OF INDIA":
Exclusion of children of parents belonging to countries hostile to India, advocated, *Kolhatkar* 37,815
Exclusion of class called "Statutory Natives" suggested, *Dixit* - - - - - 36,149
"Indian and Anglo-Indian" suggested instead, *Dick* - - - - - - 36,904, 37,180

Indians—*continued.*
DEFINITION OF "NATIVES OF INDIA" *continued.*
Objected to, and suggestions, *Stanyon*, 34,190; *Malak*, 36,777.
Residents of Native States should be included in term, *Shukla*, 35,075; *Mudholkar*, 37,188, 37,194, 37,197, 37,264–6; *Kolhatkar*, 37,815.
Satisfactory, *Nelson*, 34,589; *Shukla*, 35,075; *Paranjpe*, 35,894; *Dixit*, 36,149; *Sahasrabuddhy*, 36,643.
Desire to serve country in higher posts should be satisfied, and particulars *re*, *Stanyon* - - 34,533
EDUCATED CLASSES:
Claims of, and needs of masses, difference between, *Moss-King*, 34,134–5; *Stanyon*, 39,559–62.
Employment in higher services to satisfy aspirations of, advocated, *Khan* - - - 35,843–4
Element will not preponderate for many years, and reasons, and particulars *re*, *Shukla* - - 35,081
Excluded from Crown Colonies, except Ceylon, and seldom enter Home Service, *Mudholkar* - 37,190
EXTREME PARTY:
Scholarships in England, recruitment from Indian bar, and extension of listed posts to admit more Indians, would not satisfy demands of, *Khan* 35,302
Simultaneous examinations demanded by, but would not nearly satisfy aspirations of, *Khan* 35,485–94
Small, as compared with moderate, *Khan* 35,304 35,487, 35,492
IN HIGHER POSTS:
Friction between European subordinates and, *Stanyon* - - - - - - - 33,348–50
More should be thrown open, and particulars, *Slocock*, 36,305–6, 36,364, 36,529–32, 36,539, 36,563–7; *Mudholkar*, 37,619–39.
One sixth advocated, *Mudholkar*, 37,192, 37,202–5; 37,210, 37,254, 37,326–31, 37,454–8, 37,618–39
One third, recommended, *Khan* - 35,205, 35,396, 35,495–504
Proportion cannot be fixed unless simultaneous examination granted, *Kolhatkar* - - 37,822
Selection from P.C.S. advocated, and scheme, *Nelson* 34,584, 34,692–4, 34,738–40, 34,744–51, 34,844–60; *Slocock*, 36,306, 36,475.
Increased facilities, opportunities for, demand for, requires serious consideration, *Moss-King* 33,924
Litigation increasing among, and particulars *re*, *Paranjpe* - - - - 35,990–3, 36,072–4
Middle classes, representation of, *Mudholkar* 37,372–3
Moderate party, demands would be satisfied by system of scholarships in England, recruitment from the Bar, and extension of listed posts, or simultaneous examination, *Khan* 35,205, 35,302, 35,485–94, 35,502–4
Nationality, not yet realised properly, and particulars *re*, *Dick* - - 36,900, 37,024–8, 37,114–7
OF NOBLE FAMILY:
Certificates of good service given on certain occasions, and copies held by, *Paranjpe* 36,090–1
Exception in favour of Europeans and Eurasians in rules for recruitment to P.C.S., should be extended to, and particulars, *Thakur* 35,591, 35,829–38, 35,862–3
NUMBER OF POSTS OPEN TO:
should not be Curtailed or increased, *Stanyon* 34,573–5
Limit to 20 per cent. advocated, *Moss-King* 33,884
Question unimportant at present, *Nelson* 34,599
Purity and efficiency of administration unimpaired by holding of responsible posts by, *Mudholkar* 37,191
Recruitment (*see that title*).
holding Responsible positions, incomes required by, *Sahasrabuddhy* - - - - - - 36,689
SEPARATE CADRE:
Advantages, and particulars *re*, *Slocock* 36,305, 36,421–5, 36,525–8, 36,538–43, 36,595–611, 36,626–34
Advocated, and scheme, and particulars, *Dick* 36,912, 36,928, 36,957–75, 36,993–7009, 37,041–8, 37,088–95, 37,139–42, 37,144–53, 37,184

Indians—*continued.*
SEPARATE CADRE—*continued.*
Effect on I.C.S. and P.C.S., *Dick* 36,993–7004, 37,088–95, 37,144 53, 37,181–4
not Equal to I.C.S. in efficiency, but social standing equal, *Dick* - - - - 37,007
Pay:
Principle of supply and demand should be applied, and particulars *re*, *Slocock* 36,630–1
Suitable, to attract required men should be given, *Slocock* - - - 36,631, 36,634
Promotion, arrangements suggested, *Slocock* 36,626–9, 36,527, 36,632–3, 36,597–611
Recruitment:
no Difficulty, but question of promotion doubtful, *Dick* - 36,967, 37,041–3, 37,047
Direct by nomination and competition, and from P.C.S., advocated, and particulars *re*, *Dick* 36,957–9, 36,997–8, 37,148, 37,041–8
Type rising absolutely free from caste prejudice, and particulars *re*, *Moss-King* - - 34,023–6
Working in cadre of Civil Service, number, *Nelson* 34,853

Inefficient officers, retirement (*see under* Retirement).

Inferior Posts (*see under* Conditions of Service, I.C.S.).

Inspector-General of Registration (*see* Registration, Inspector-General of).

Inspector-General of Police (*see under* Police Department).

Insufficiency of Staff, I.C.S.:
EXECUTIVE BRANCH:
District officers are overworked, *Shukla*, 35,121–3; *Dick*, 36,935, 36,967.
Staff is adequate, *Khan* - - - - 35,301
Judicial Branch, staff should be increased, *Stanyon*, 34,310–17, 34,323, 34,397–415; *Thakur*, 35,872–5; *Paranjpe*, 35,948, 35,993–6, 36,123–40; *Dixit*, 36,172, 36,195–7; *Dick*, 36,992; *Kelkar*, 37,719–22.

Insufficiency of Staff, P.C.S.:
Executive Branch is overworked, *Walayatullah*, 34,937, 34,988–92; *Thakur*, 35,601, 35,652 67; *Dick*, 36,935.
Judicial Branch is overworked, *Stanyon*, 34,315–8; *Paranjpe*, 35,948, 35,963–5, 35,988, 35,993–6, 36,124–40; *Mudholkar*, 37,286.

J.

Jews, number of posts in P.C.S. held by, *Hullah*, 33,570; *Shukla*, 35,102.

Judges, Civil:
Combination of duties of magistrate and, might be tried as an experiment, and difficulties, *Dixit* 36,219–20
Criminal trials by, not advocated as a rule, *Sahasrabuddhy* - - - - - 36,767
Executive training an advantage, *Khan* - 35,198, 35,285, 35,288, 35,515
Suits between landlord and tenants might be transferred to, *Walayatullah* - - - - 34,942

Judges, District and Sessions:
Additional appointments advocated, *Paranjpe* 35,993–6
ADDITIONAL:
Appointment to act as, unsatisfactory, *Dick* 36,936, 37,052, 37,185–6
Appointments should be made from executive and not judicial branch, and particulars, *Thakur* 35,605–77
Duties of, in Wardha District, particulars *re*, *Thakur* - - - 35,725–30, 35,735–6, 35,753
Members of P.C.S. as, *Hullah*, 33,580; *Stanyon*, 34,329, 34,331–6.
Pay, particulars, *Stanyon*, 34,304; *Paranjpe*, 35,977–9.
Promotion to, of recruits from the Bar, *Dick* 36,903
Subordinate judiciary up to, and including, should be filled by members of P.C.S., *Stanyon* - 34,189

Judges, District and Sessions—*continued.*
Additional sessions work, particulars, *Hullah*, 33,580, 33,765; *Stanyon*, 34,410.
Appointments should be made from executive and not judicial branch, *Thakur* - 35,605, 35,677
ASSISTANT:
Probationers in subordinate judicial service should be called, *Sahasrabuddhy* - - 36,659
Training as munsif, subordinate judge, third, second, and first-class magistrate for specified periods before appointment as, advocated *Mudholkar* - - - - - - 37,221
in each Civil district, *Stanyon* - - - 34,410
Civil and criminal work, but no revenue duties, *Walayatullah* - - - - - - 34,442
Civil work entirely, by district judge, *Hullah*, 33,580, 33,764–6; *Kelkar*, 37,729–31.
CIVILIANS:
Barristers and, satisfactory, *Dick* - 37,059–60
Considered necessary to judicial branch, *Moss-King* - - - - - - 33,878, 34,005–6
Defects due to faulty system of training, *Khan* 35,198
not Deficient in legal knowledge, *Khan* - 35,325
no Dissatisfaction respecting, *Nelson* - - 34,588
Large proportion of administrative work falls to, *Nelson* - - - - - - - 34,588
no Regular training received by, and no necessity, *Dixit* - - - - - - 36,148, 36,186
Clerks of courts of, interchange of duties with certain officers advocated, *Paranjpe* 35,946, 36,113
Comparison with Extra Assistant Commissioners, *Kelkar* - - - - - - - 37,800–3
no Considerable judicial training required at present, but appointment should depend on proficiency, and scheme, *Paranjpe* - - 35,929, 35,983 4
Criminal cases tried by sessions judges, *Sahasrabuddhy* - - - - - - - - 36,762
Criminal training before becoming sessions judges necessary, particulars *re*, *Hullah*, 33,643–4; *Slocock*, 36,307, 36,411–3, 36,612–3.
Difference from magistrate and suggestions if magisterial and executive functions separated, *Slocock* - - - - - - - 36,585–90
Enrolment as barrister necessary before appointment as, *Stanyon*, 34,189; *Dick*, 36,919, 36,978.
Increase in grades up to Rs. 1,000 suggested, *Dixit* 36,172, 36,198–201
INDIANS:
Purity and efficiency of administration unimpaired by, *Mudholkar* - - - - - 37,191
(*see also* Officers from P.C.S. *below*.)
Jurisdiction, *Hullah* - - - - - 33,768–72
LEAVE:
Privilege, obtained by, *Stanyon* - - - 34,564
Vacancies filled by promotion of subordinate judges, and pay, *Hullah* - - - 33,583
Listing of posts proposed in reorganisation of judicial branch, *Hullah* - - 33,856, p. 304
LL.B. degree necessary for appointment as, particulars, *Dick* - 36,919, 36,923, 36,978, 37,083–5
Lowest grade, included as first-class officers for purpose of travelling allowances, under revision, *Hullah* - - - - - - - - 33,583
Number, and list of grades, *Hullah*, 33,529; *Stanyon*, 34,329–30, 34,409; *Dixit*, 36,172.
Office should be divided, divisional judgeship to go to the district judge, and the sessions judgeship to selected extra assistant commissioner, *Walayatullah* - - - - - - - - 34,943
Officers selected for judicial branch are given good practical training before appointment as, and suggestions, *Stanyon*, 34,225; *Nelson*, 34,633.
Open competition fails to produce competent, and reasons, *Kolhatkar* - - - - - 37,805
Over-worked, and particulars *re* duties, *Stanyon*, 34,313–4, 34,323; *Paranjpe*, 35,948, 35,993–6, 36,123–40; *Dixit*, 36,172, 36,195–7.
PAY:
Particulars *re*, *Hullah*, 33,529; *Stanyon*, 34,304; *Kelkar*, 37,682.
under Revision of judicial department, *Hullah* 33,583

Judges, District and Sessions—*continued.*
PAY—*continued.*.
Time-scale should be applied to, *Slocock* - 36,339
Travelling allowances, first class, granted to, *Kelkar* - - - - - - 37,741, 37,798
Unsatisfactory, and scheme, *Kolhatkar* 37,852, 37,855
Posts mostly held by members of P.C.S., and salaries low, and particulars *re*, *Kelkar* - - - 37,673
Posts open to natives of India, number and scheme, *Kelkar* - - - - - - - - 37,682
Question of filling posts from civil or magisterial side, *Dixit* - - - - - - 36,297-8
Scheme *re*, *Kelkar* - - - - - 37,803
Training, advantages of ministerial training, *Paranjpe* - - - - - - - - 36,113-8

Judges, Divisional and Sessions:
Civilians and barristers holding posts as, weak in law, *Dick* - - - - - - - - 37,059-60
Continued system and particulars of work, *Thakur* 34,678-81, 35,752-55
Europeans expected to hold certain number of posts as, *Dixit* - - - - - - 36,264, 36,266-7
at Nagpur, *Thakur* - - - - - 35,723
Number, *Hullah*, 33,529; *Stanyon*, 34,329, 34,408.
Number of posts allotted to P.C.S., *Kelkar* - 37,682
PAY:
Rates of, *Hullah* - - - 33,529, 33,645-7
Time scale should be applicable to, *Slocock* 36,339
Powers, and particulars *re*, *Stanyon* 34,329, 34,408-12
Proposals *re* formation of separate cadre of, grading and pay, *Hullah* - - - - - 33,530
SENIOR:
Reservation of post for divisional sessions judge would continue if separation of cadre organised, and particulars *re*, *Slocock* - - 36,603-7
Twelve, with three judicial commissionerships open to them, proposed, *Hullah* - - - 33,816

Judges, High Court:
should Belong to judicial branch, *Mudholkar* 37,196
Cannot keep pace with work, and particulars *re*, *Stanyon* - - - - - - - - 34,313
not enough Posts on the bench to admit, *Dick*
Civilians, value of, as, *Dick* - - 37,066, 37,122
Extra pensions received by, *Slocock* - - 36,349
Pay of listed officer, two-thirds rule not approved, *Kolhatkar* - - - - - - - 37,845
due Proportion of Indian Civil Servants in personnel of higher civil courts, advocated, *Khan* - 35,198

Judges, Small Cause Court:
Appear in cadre of P.C.S., *Hullah*, 33,503, 33,669-70, 33,829-30; *Walayatullah*, 34,943; *Thakur*, 35,593.
Grades and number, *Thakur* - - - - 35,593
Pay, particulars *re*, *Stanyon* - - - 34,315-6

Judges, Subordinate:
Additional, position held by young Civilians, and experience gained in trying civil cases a good preparation for taking up subordinate judgeship, *Khan* - - - - - - - - 35,289-91
Appeals from those of many years' standing often heard by Civilians with no legal knowledge, *Dick* 36,908
Direct appointment as, undesirable, *Stanyon*, 34,530; *Dick*, 36,931.
Discharge of work by Civilians having passed open competition examination should be efficient, and executive training a great help, *Khan* 35,288-91
Interchange of duties with certain officers advocated, *Paranjpe* - - - - - - 35,946, 36,113
JURISDICTION AND POWERS:
Comparison with munsifs, *Shukla*, 35,107; *Dixit*, 36,221; *Slocock*, 36,406.
Duties same as district judges, with difference of, *Hullah* - - - - - - - - 33,767
Pecuniary, particulars, *Hullah* - - 33,769-72
Powers of, *Stanyon* - - - - 34,414-5
Lack of despatch in cases sometimes, *Dick* 36,991, 37,086-7
Members of I.C.S. and Imperial services serving as, proportion of superior posts should be reserved for, *Stanyon* - - - - - - 34,189

Judges, Subordinate—*continued.*
Number and duties, *Hullah*, 33,565; *Thakur*, 35,733-5.
Number increased if necessary, *Paranjpe*, 36,140; *Dixit*, 36,206; *Kolhatkar*, 37,852.
no Objection to promotion as sessions judges if civil and criminal work done by, *Slocock* 36,612-3
Office separate from Extra Assistant Commissioners, *Walayatullah* - - - - - - 34,942
PAY AND GRADING:
List, *Dixit* - - - - - - - 36,172
under Revision of Judicial Department, *Hullah* 33,583
Unsatisfactory, and improvement necessary, *Stanyon*, 34,387-8, 34,530; *Kolhatkar*, 37,852, 37,855.
Posts should be filled by members of services who have been specially prepared for judicial work, *Stanyon* - - - - - - - - 34,189
Practical experience as, during period of 4 or 5 years would qualify man for position of sessions judge on promotion to High Court Bench, *Khan* 35,286-7
Recruitment, from munsifs, particulars, *Hullah*, 33,777; *Stanyon*, 33,782-3, 34,304; *Walayatullah*, 34,936.
Supervised by district judges, *Stanyon* - - 34,313
SPECIAL TRAINING AS:
Advocated, particulars, *Slocock*, 36,402-6; *Kelkar*, 37,666.
Junior officers should be trained for, as quickly as possible, reasons, *Stanyon* - - 34,280-4
Particulars, *Paranjpe* - - 35,893, 35,983
Unnecessary, *Slocock*, 36,327, 36,393-5; *Dick*, 36,979.
Work done by, particulars, *Dixit* - - 36,200-1

Judicial Branch, I.C.S.:
Appellate power not in harmony with English conditions, *Stanyon* - - - - - 34,554
BIFURCATION:
before Confirmation in office of sessions judge, advocated, *Hullah* - - - 33,678-80
Early, advised, *Dick*, 36,919, 37,075-7; *Kelkar*, 37,666.
before Examination, advocated, *Kolhatkar* - 37,805
Five years' civil training necessary before entering judicial branch, *Khan* 35,228, 35,283-4, 35,366
after Two years' service, suggested, *Stanyon* 34,277-84, 35,525-6, 34,547
Cases not so well worked up as in England, and different conditions require different system, *Khan* 35,325-8
Chances of prize appointments not same as executive branch, *Mudholkar* - - - - - 37,610-1
CIVIL CASES:
Considerable portion contributed by moneylenders, and particulars, *Sahasrabuddhy* - 36,749-54
Tried almost exclusively by judicial officers, and exceptions, *Hullah* - - - - - 33,527
Civil work only, done by members of, and particulars, *Nelson*, 34,653, 34,867; *Dixit*, 36,176, 36,206, 36,226-31, 36,297-8; *Mudholkar*, 37,233.
Civilians not anxious to enter, very often, reasons, *Mudholkar* - - - - 37,604-5, 37,607
Constitution and system, *Stanyon* - 34,326-36, 34,392-415
Criminal cases, offenders not let off, but results of re-trial sometimes contrary to public expectations, *Sahasrabuddy* - - - - - - 36,759
Criminal functions should belong to, *Dixit*, 36,176, 36,206, 36,226-31, 36,297-8; *Mudholkar*, 37,196.
Differentiation of functions from Executive (*see* Separation from Executive Branch *below*).
EUROPEAN ELEMENT:
Leaven of, at top of service expected, and particulars, *Dixit* - - - - 36,148, 36,262-7
Minimum advocated, *Slocock*, 36,311; *Dick*, 37,067-8, 37,072-3.
Recruitment, particulars, *Dixit* - - 36,265-7

Judicial Branch, I.C.S.—*continued.*
HIGHER POSTS:
Admission of Indians recruited through listed posts, suggestion *re*, *Slocock* - - - 36,311
should Depend on special aptitude and selection by High Court, *Paranjpe* - - - 35,929
Pay not so good as in executive branch, and details, *Mudholkar* - - - 37,615–6
Improvement in prospects, scheme and particulars, *Mudholkar*, 37,196, 37,606–9, 37,613, 37,617; *Kelkar*, 37,666.
Increase of litigation and some increase of staff to some extent, *Paranjpe* - - 35,990 3, 36,072
Junior officers should sometimes be interchanged with executive, *Hullah* - - - - 33,686
Larger number of officers employed in, *Kelkar* 37,748
LEAVE:
Annual vacation, very little use, *Stanyon* - 34,564
Less taken than in executive branch, *Stanyon* 34,564
(*see also* Leave, I.C.S.)
Magisterial cases, particulars *re*, *Slocock* 36,580–4, 36,614–22
Number of officers, *Dick* - - - - 36,992
Officers of Central Provinces join, after about three of four years' service, *Hullah* - - - 32,642
Overwork, particulars *re*, *Stanyon*, 34,310–7, 34,323, 34,379–45; *Thakur*, 35,872–5; *Dick*, 36,992; *Kelkar*, 37,719–22.
Particulars *re* cases, *Dick* - - - - 36,991
Prestige of service damaged by inefficient judges, *Dick* - - - - - - - - - 36,903
PROBATION:
Schemes, *Stanyon*, 34,211; *Mudholkar*, 37,212, 37,278, 37,417–8; *Kolhatkar*, 37,831, 37,842.
(*see also* Probation, I.C.S.)
PROMOTION:
Block in, time-scale the only way of removing, *Hullah* - - - - - - - 33,693–6
(*see also* Promotion, I.C.S.)
RECRUITMENT:
Age limit, maximum at 25, advocated, *Shukla* 35,076
from the Bar:
Advocated, and particulars, *Stanyon*, 34,189, 34,225, 34,372–81, 34,389, 34,450–5; *Nelson*, 34,633; *Khan*, 35,198, 35,278–81, 35,302, 35,325–8, 35,363–5; *Dixit*, 36,148, 36,186–7, 36,261, 36,268–9; *Malak*, 36,776; *Dick*, 36,903, 36.962, 37,032–7, 37,055, 37,061–70, 37,078, 37,082, 37,118–21, 37,162–5, 37,171–3; *Kelkar*, 37,704–10, 37,715–6; *Kolhatkar*, 37,811, 37,866–77.
not Advocated, *Slocock*, 36,307, 36,315, 36,477–8; *Dick*, 37,074.
Barrister would lack valuable experience gained by executive officer, *Hullah* - - 33,684
Lawyers would accept posts if salary sufficient, *Sahasrabuddhy* - - - - - 36,690
no Lawyer who adopts politics as great part of his occupation should be eligible, *Stanyon* 34,189, 34,381, 34,450–5
Standing counsel to money-lending firm would not be objected to as a rule on the bench, *Sahasrabuddhy* - - - - 36,755–8
Best men not recruited, *Stanyon* - 34,390–1
Direct:
Number taken up for, and almost all graduates of Art and Law, Thakur - - - 35,595
Practice at the bar for not less than three years should be necessary, Sahasrabuddhy 36,661
from Executive officers, "knowledgeability" sufficient, but not the only consideration, *Dick* 37,065
Indians:
More posts should be open to, and suggestions *re*, *Kelkar* - - - 37,666, 37,703–10
Well suited for, and no particular necessity for recruitment from I.C.S., *Dixit* 36,188, 36,289
Law degree should be compulsory, *Shukla*, 35,074, 35,124–8; *Sahasrabuddhy*, 36,642, 36,658, 36,661.
from Law graduates, suggestion, *Kolhatkar* 37,811, 37,866–72

Judicial Branch, I.C.S.—*continued.*
RECRUITMENT—*continued.*
Late in service advocated, *Slocock* - 36,324, 36,237, 36,393
Nomination not liked, and competition advocated, *Kelkar* - - - - - - - - 37,713
from P.C.S. advocated to some extent, *Khan*, 35,198, 35,278–9, 35,302, 35,324–8, 35,480–82; *Dixit*, 36,148, 36,187, 36,261, 36,268–9; *Kelkar*, 37,704–10, 37,715–6.
Satisfactory, *Khan*, 35,198, 35,278 9, 35,302, 35,364–5; *Sahasrabuddhy*, 36,743.
Scheme, *Stanyon* - - - 34,189, 34,275–6
Separate examination:
Age of candidates, scheme, *Mudholkar* 37,593–4
no Difficulty *re* obtaining candidates for, with improvement and prospects under proposed scheme, and particulars, *Mudholkar* 37,606–7
Proposed syllabus and marking, and particulars *re*, *Mudholkar* 37,196, 37,271, 37,276, 37,582–95
Separate method:
Advocated, *Shukla* - - 35,074, 35,124–8
not Advocated, *Moss-King*, 33,878, 34,032; *Nelson*, 34,588; *Paranjpe*, 35,893; *Slocock*, 36,307; *Kelkar*, 37,666, 37,767, 37,782; *Kolhatkar*, 37,814; p. 302.
by Special appointment not objected to, *Dick* 36,912
as Wide a field as possible advocated, and reasons, *Stanyon* - - - - 34,275–6, 34,438
(*see also* Recruitment, I.C.S.)
Revenue, cases tried only by officers of executive branch, *Hullah* - - - - - - 33,527
SEPARATION FROM EXECUTIVE BRANCH:
Advocated, and scheme and reasons for, *Mudholkar*, 37,196, 37,202, 37,233, 37,270–1, 37,541–2; *Kolhatkar*, 37,805, 37,890–7.
not Advocated, and particulars, *Nelson*, 34,653, 34,867; *Stanyon*, 34,823–4; *Khan*, 35,235, 35,314–7, 35,367–8, 35,537–41, 35,543–6; 35,554–5, 35,560–2; *Slocock*, 36,333; *Dick*, 36,903, 37,021–2, 37,123.
Cost would not be great, and scheme, *Mudholkar* 37,279–81
Extent of, *Hullah*, 33,527; *Walayatullah*, 34,942, 35,027.
Loss of criminal powers will decrease influence, *Kulkar* - - - - - - - 37,754–61
(*see also under* Magistrates.)
STUDY LEAVE:
Advocated, and particulars, *Khan*, 35,228; *Slocock*, 36,324, 36,326, 36,408–11.
not Advocated, *Stanyon*, 34,223, 34,282; *Kelkar*, 37,678.
should be Granted for one year, and particulars *re*, *Nelson* - - - - - - - - 34,633
Subordinate cases, young civilians should try a certain number, *Slocock* - 36,327, 36,399 407
Superior posts, proportion might be recruited from Bar, but no proportion could be fixed, and particulars *re*, *Stanyon* - - 34,189, 34,273–5
Surplus in court fees account utilised for buildings and pensions, *Khan* - - - - 35,556–7
TRAINING:
for Civilians, suggestions, *Paranjpe* 35,929–30, 35,983–7
Course of instruction by Provincial Governments, advisable for one year, and scheme, *Mudholkar* 37,216, 37,220, 37,221, 37,277
Course of study in Indian law for officers selected to, period in Legislative Department and Legal Remembrancer advocated, and particulars, *Paranjpe* - - - - 35,930, 35,985–7
Executive:
an Advantage, but could be secured during probation if judicial and executive branches separated, and particulars, *Mudholkar* 37,277–8
no Compensation for lack of legal training, *Dick* 36,903
Four years in executive branch and as subordinate judges and magistrates for reasonable period before appointment to divisional judgeship advocated, *Khan* 35,228, 35,283–5
of great Value, *Slocock* - - 36,307, 36,324

Judicial Branch, I.C.S.—*continued.*
TRAINING—*continued.*
Law:
Course in civil law advocated, *Slocock* 36,324 36,327, 36,400 7, 36,411
Early and systematic best, and particulars *re* time after entering service, *Stanyon* 34,223 34,277–84, 34,547–9, 34,550–1
English law will apply to Indian cases in most circumstances, *Stanyon* - - 34,551–3
Examinations passed by some officers, but exceptional, *Khan* - - - - 35,524
Improvement in, advocated, *Shukla* 35,074, 35,125 8
Special course of study in, not advocated, *Nelson* 34,634
(*see also* Law.)
Practice at Bar unimportant, *Kolhatkar* 37,921–3
Present system sufficient for criminal department, but some training necessary, *Khan* 35,520–1
Schemes, *Stanyon*, 34,225, 34,277–84; *Dick*, 36,903, 36,919, 36,980, 37,080; *Kelkar*, 37,666.
Special, in subordinate posts:
Advocated, and suggestions, *Sahasrabuddhy*, 36,659; *Dick*, 36,780–2, 36,903, 36,919. 36,923–4; *Mudholkar*, 37,221; *Kelkar*, 37,679.
not Advocated, *Slocock*, 36,327, 36,393–5; *Kelkar*, 37,666; *Kolhatkar*, 37,840.
(*see also* Training, I.C.S.)
Transference of cases, authority of district magistrates *re* pending cases, *Khan* 35,528–32, 35,535–6, 35,551–3
Unpopularity of causes, and remedies suggested, *Kelkar* - - - - - - - - 37,666

Judicial Branch, P.C.S.:
CADRE:
Revision, effect of last, *Hullah* - - 33,583
Inadequate to cope with growing needs and increase advocated, *Paranjpe* - 35,948, 35,963, 35,965, 35,988, 35,993, 35,996, 36,140
Strength of, *Hullah*, 33,565; *Walayatullah*, 34,936; *Thakur*, 35,593; *Kolhatkar*, 37,852.
System of fixing, satisfactory, *Hullah* - 33,574
Civil cases almost exclusively tried by officers with no executive functions, and exceptions, *Hullah* 33,580
Criminal work, large proportion done by bench and honorary magistrates, *Thakur* - - 35,810–1
Differentiation of functions from executive branch, and extent and particulars, *Hullah*, 33,580; *Stanyon*, 34,239; *Shukla*, 35,105, 35,173–5; *Thakur*, 35,605, 35,677; *Dick*, 36,936; *Kelkar*, 37,687, 37,729–31, 37,749, 37,792–7; *Kolhatkar*, 37,853.
Europeans in, number of, *Kelkar* - - 37,681
LEAVE:
on Full pay, conversion of privilege leave on half pay into, suggested and particulars, *Paranjpe* 35,694, 36,017–21
no Reserve, *Hullah*, 33,575; *Paranjpe*, 35,948.
(*see also* Leave, P.C.S.)
more Listed posts taken up by, than by Executive Branch, *Thakur* - - - - - 35,606
Overwork and particulars, *Paranjpe*, 35,948, 35,963, 35,965, 35,988, 35,993, 35,996, 36,124–40; *Mudholkar*, 37,286.
PAY AND GRADING:
Few posts as possible in lowest grades recommended, *Paranjpe* - - - - 35,957
Grading, proposal *re*, *Hullah* - - - 33,584
Improvement, suggestions for, *Kolhatkar* - 37,852
Improvement would attract better class of men, *Sahasrabuddhy* - - - - - 36,667
Posts of Rs. 900 and Rs. 1,000 not to be created, and reason, *Hullah* - - - 33,848–56
Revision, effect of last, *Hullah* - - 33,583
Time-scale, from munsif to district judge suggested, but not for higher posts, *Dick* 36,988
(*see also* Pay, P.C.S.)
PENSIONS:
Full, after 25 years' service, advocated, and particulars, *Kolhatkar* - - - - 37,858
Superannuation, reduction in age-limit advocated, *Paranjpe*, 36,034–5; *Mudholkar*, 37,238.
(*see also* Pensions, P.C.S.)

Judicial Branch, P.C.S.—*continued.*
PROMOTION:
Block, possibility of, but proposed scheme of reorganisation will avoid, *Hullah* - - 33,577
Officiating, received to some extent, *Hullah* 33,585
Permanent, number of officers superseded for, *Hullah* - - - - - 33,578, 33,622
(*see also* Promotion, P.C.S.)
RECRUITMENT:
from the Bar:
Advocated, *Khan*, 35,197, 35,278–9; *Paranjpe*, 35,943; *Dick*, 36,936; *Mudholkar*, 37,233.
Members would not find it worth while, *Dixit* 36,218
Candidates from Bombay Presidency and Calcutta University taken when sufficient number of residents not available, *Paranjpe* - - 36,047
Class representation, particulars, *Dick* - 36,934
by Competition, promotion from other services and nomination in equal proportions recommended, *Dixit* - - 36,172, 36,174, 36,208–9, 36,215–7, 36,284–8
Law degree should be compulsory, *Shukla*, 35,100; *Paranjpe*, 35,943; *Mudholkar*, 37,233.
Present system, *Hullah*, 33,577, 33,588; *Paranjpe*, 35,942; *Dixit*, 36,024, 36,276.
Present system satisfactory, *Kelkar* - - 37,680
(*see also* Recruitment, P.C.S.)
Revision, particulars *re*, *Hullah* - - - 33,583
SEPARATION FROM EXECUTIVE BRANCH:
Advocated, and suggestions, *Paranjpe*, 35,952; *Dixit*, 36,176, 36,206, 36,297–8; *Shukla*, 35,105, 35,173–5; *Mudholkar*, 37,233; *Kelkar*, 37,687, 37,729–31, 37,749–61, 37,792–7; *Kolhatkar*, 37,853.
not Advocated, *Stanyon* - - - - 34,239
no Desire for, by people, *Nelson* - 34,869–87
Present position, *Hullah* - - - - 33,580
Technical in character, *Dixit* - 36,148, 36,294–6
TRAINING:
Interchange of duties among certain officers recommended, *Paranjpe* - 35,946, 36,086–9, 36,113–8
Officers already trained as munsifs, as no outside recruitment to sub-judgeships made in central provinces and Berar, *Hullah* - - - 33,571
(*see also* Training, P.C.S.)

Judicial Commissioners (*see* Commissioners, Judicial).

Judicial Service:
Distinct from other services, desirable, particulars and suggestions, *Dick*, 36,963–4, 36,974, 37,054–5, 37,140; *Kolhatkar*, 37,805.
certain Proportion of posts must be reserved for I.C.S. civilians, and reasons, *Stanyon* 34,439–48

Judicial Subordinate Service:
Exchange of duties by ministerial service with, not to be regarded in light of appointments, and particulars, *Paranjpe* - 36,086–9, 36,144–8
Number of officers in, pay and grading, and scheme for improvement, *Kolhatkar* - - - 37,852
Officers in, do not get so much leave as executive people, *Stanyon* - - - - - 34,565
One service advocated, and time-scale, not objected to, *Dick* - - - - - - - - 36,986–8
Underpaid, and difficulty of getting recruits, *Kelkar* 37,742

K.

Kayasthas:
Administrative capacity, and number in Technical Branch of P.C.S., *Mudholkar*, 37,191; *Kelkar*, 37,681.
Kelkar, Rao Bahadur Vinayek Moreshwar, evidence of - - - - - - - - - 37,658–803
Kembi, number in Judicial Branch of P.C.S., *Kelkar* 37,681
Khan, Ghazanfar Ali, I.C.S., evidence of 35,194–3558
Khamgaon, Sub-Divisional Officers of, local allowances payable to, *Hullah* - - - - - 33,734
King, R. C. H. Moss-, I.C.S., evidence of 33,869–34,178

Kolhatkar, Rao Bahadur Waman Rav M., evidence of - - - - - - - - - 37,804–933
Kshatriya, number in Judicial Branch of P.C.S., *Kelkar* 37,681

L.

Languages (*see* Oriental Languages *and* Vernaculars).

Law:
Improvement in knowledge of, suggestions for, *Mudholkar* 37,196, 37,212, 37,216, 37,407–8, 37,417–8
KNOWLEDGE OF MEMBERS OF I.C.S. OF:
Changes suggested to improve proficiency in, *Nelson* - - - - - - - - - 34,633
no Special steps necessary for improving, *Kelkar* 37,678
could be Learnt quite as well in India as in England, *Slocock* - - - - - - - - 36,308
Mastery fairly easy in comparison with English system of law, *Khan* - 35,198, 35,286, 35,523
STUDY OF:
Higher study, original work in jurisprudence would deserve special appointment in judicial branch, *Paranjpe* - - - - - - - - 35,931
Higher study, special rules for encouragement, unnecessary, *Slocock* - - - - 36,328
Scheme for instruction in India not possible, *Khan* 35,222
Special course:
for Officers of judicial branch, not advocated, *Kolhatkar* - - - - - - - 37,839
Unnecessary if separate examination for judicial branch, *Mudholkar* - - - - 37,220
System for encouraging higher, analogous to rules for encouragement of study of Oriental languages, not recommended, *Stanyon* - - - 34,226
Two years' course at Indian University suggested before taking L.L.B., *Dick* - - - - 36,923
(*see also under* Training *under* Judicial Branch, I.C.S.)

Leave, I.C.S.:
ALLOWANCES:
Concession of 1893 *re* rate of exchange:
Adequate, *Khan* - - - - - 35,242
Amendment, suggested and reason, *Nelson* 34,670, 34,898–900
not Liberal enough, *Slocock* - - - 36,346
Maximum and minimum limits:
not Approved, and suggestions *re*, *Nelson* 34,671
Suitable, *Hullah*, 33,546; *Khan*, 35,243.
Percentages correct, *Hullah* - - - 33,521
Alternative sterling and rupees rates, recommendation, *Hullah* - - - - 33,546, 33,657–9
Discretion of local administration in granting, particulars *re*, *Nelson* - - - 34,907–9
Extra, on half-pay, necessary for sickness or urgent private affairs, *Slocock* - - - - 36,347
ON FULL PAY (PRIVILEGE):
Accumulation:
Abolition in favour of annual holiday suggested, *Moss-King*, 33,891, 33,932–62, 34,043–5; *Nelson*, 34,667; *Slocock*, 36,342–3, 36,432–6, 36,443–7
Increase of limit to five months suggested, *Thakur* - 35,619, 35,622, 35,682, 35,775–9, 35,783–7
Amount due, taken, *Hullah* - - - 33,544
Amount due not taken, *Nelson* - - - 34,667
Amount suitable, *Hullah* - - - - 33,544
more Needed by Uncovenanted Civil Servants and the Police, but should also be granted to I.C.S. to avoid invidious distinctions, *Slocock* - 36,444
Taken more frequently than formerly, and result, *Khan* - - - - - - 35,418–23
FURLOUGH:
Allowance:
Suitable, *Khan* - - - - - 35,241
not Suitable, and revision suggested, *Moss-King*, 33,891; *Nelson*, 34,666–7, 34,669–71, 34,722, 34,002; *Slocock*, 36,345, 36,443–6.

Leave, I.C.S.—*continued.*
FURLOUGH—*continued.*
Amount due:
Reduction in, not advocated, *Hullah*, 33,545; *Nelson*, 34,668; *Kelkar*, 37,685.
not Taken, *Hullah*, 33,545; *Nelson*, 34,668; *Slocock*, 36,344.
Taken more frequently than formerly, and result, *Khan* - - - - - 35,418–23
at Intervals of five years advocated, *Slocock* 36,342 36,440–2
on Medical certificate objected to, particulars *re*, *Nelson* - - - - - - 34,674, 34,910
Officers should not be encouraged to study law during, *Stanyon* - - - - - - 34,283
Two years:
not Many officers take, *Moss-King* - 33,959–60
More than, condemned, and reasons, *Slocock* 36,342, 36,438–41
on Half-pay, often not taken, and should be abolished, and particulars, *Slocock* - - - - 36,342
Less taken than formerly, and reason, *Nelson* 34,666
in Listed posts (*see that title*).
Long, rules, alteration suggested, *Moss-King* 33,891
More taken than formerly, and reasons, *Hullah* 33,543
Power to grant to officers at time when absence not inconvenient, advocated, *Hullah* - - 33,549
Privilege (*see* on Full pay *above*).
RULES:
Abolition advocated, and particulars *re*, *Nelson* 34,672, 34,904–6, 34,912–5
Cause of excessive transfers, *Nelson* - - 34,673
not Cause of excessive transfers, *Hullah* - 33,547
Cause inconvenience to administration, and particulars *re*, *Nelson*, 34,672; *Slocock*, 36,348.
Decentralisation Commission, principles approved, *Khan* - - - - - - - - 35,244
Leave reserve might be reduced by change in, *Nelson* - - - - - - - - 34,647
some Press hardly on officers of I.C.S., and particulars *re*, *Nelson* - - 34,674, 34,904–6
Revision of advocated, *Moss-King*, 33,891, 34,034–42; *Nelson*; 34,669, 34,672, 34,722–4, 34,904–6 34,912–5; *Slocock*, 36,342, 36,348, 36,432–47.
Suggestions of Government of India, agreed with, *Hullah* - - - - - - - - 33,549
Shorter leave at more frequent intervals, and subject to reasonable limit, on full pay, advocated, scheme, *Moss-King* - - - - - - - 33,891
Two years' continuous leave except for health, undesirable, *Dick* - - - - - 36,929
(*see also under* Judicial Branch, I.C.S.)

Leave, P.C.S.:
Allowance, maximum and minimum limits, suitable, except as regards furlough, *Stanyon* - - 34,249
Combined, only taken for health, *Thakur* - 35,618
European Service Leave Rules, equalisation with, advocated, *Khan*, 35,255; *Thakur*, 35,622.
Difficulties *re* taking, *Paranjpe* - 35,963, 36,024
Full advantage taken of, but amount not sufficient, *Paranjpe* - - - - - - - 36,022–4
ON FULL PAY (PRIVILEGE):
Accumulation, period allowed should be extended, *Walayatullah*, 34,954; *Thakur*, 35,619, 35,682, 35,775–9; *Paranjpe* 35,963; *Kolhatkar*, 37,857.
Amount due usually taken, *Hullah* - - 33,590
slight Increase in number of officers taking, *Thakur* 35,618, 35,780–2
some Officers deterred from taking for fear of transfer on return to duty, *Hullah* - - 33,590
not Taken on account of expense, *Walayatullah*, 34,954; *Thakur*, 35,619, 35,622, 35,682, 35,775–9.
FURLOUGH:
Allowances:
Increase advocated, *Stanyon*, 34,248; *Thakur*, 35,621, 35,682.
Rates require little modification, and suggestions *re*, *Walayatullah* - - - 34,956
Amount due not taken, *Thakur*, 35,620, 35,622; *Kelkar*, 37,684.

Leave, P.C.S.—*continued.*
FURLOUGH—*continued.*
Generally taken towards close of service, and reasons, and present system may be continued if age limit for pension not reduced, *Walayatullah* - - - - - - - - 34,955
Qualifying period should be reduced from 10 to 8 years, and a year allowed for every 6 years' service after that, *Stanyon* - - - 34,247
Reduction of amount permissible by rules, not advocated, *Thakur* - - 35,620, 35,622
Restrictions requiring fixed period between one furlough and another, should be removed, *Walayatullah* - - - - - - 34,961
Rules not too liberal, *Stanyon* - - - 34,247
Grant of, contingent on exigencies of Public Service, *Walayatullah* - - - - - - 34,959
Less taken than formerly, and reasons, *Walayatullah* - - - - - - - - 34,953
MEDICAL:
Allowance, particulars *re*, *Walayatullah* 34,957
Privilege (*see* on Full pay *above*).
Reduction, not advocated, *Walayatullah* - 34,960
Rules hard on officers, and suggestions, *Thakur* 35,622, 35,682
RESERVE:
no Change advocated, *Stanyon* - - - 34,237
of Fourteen per cent., and adequate, *Walayatullah* 34,938
for Officers under training:
Adequate, *Hullah* - - - - - 33,576
System of grading, suitable, *Hullah* - - 33,575
RULES:
Adoption of I.C.S. rules advocated, *Khan*, 35,255; *Paranjpe*, 35,939.
Amendment advocated, and scheme, *Hullah* 33,593; page 308
Applicable to European and Indian services, complete assimilation not advocated, *Hullah*, 33,593; *Walayatullah*, 34,961.
not Cause of excessive transfers, *Hullah* - 33,592
no Cause of inconvenience to administration, *Walayatullah* - - - - - 34,959
Proposals of Government of India *re*, agreed with, *Hullah* - - - - - - - 33,591
should be Same for Europeans and Indians, *Paranjpe* - - - - - - 35,965
about Same amount taken now as formerly, *Hullah* 33,589
Sick leave, more taken, especially from judicial branch, and particulars, *Paranjpe* - - 35,963
Special, no alteration suggested, *Walayatullah* 34,958
(*see also under* Judicial Branch, P.C.S.)

Legal profession, Indian graduates often give up idea of entering P.C.S. to enter, *Khan* - - - 35,250

Legislative Councils (*see under* Councils).

Lieutenant-Governors, extra pension suggested for, *Slocock* - - - - - - - - - 36,349

Listed Posts:
ABOLITION:
Advocated in certain circumstances, *Malak* 36,785, 36,830–5
Inclusion in separate cadre advocated, *Dick* 36,915, 36,957, 37,143
BERAR:
Grievances and particulars *re*, *Hullah*, 33,703–15; *Nelson*, 34,810–1.
Listing of, objected to, *Hullah* - - 33,605–8
Block in promotion in I.C.S. caused by creation of, *Moss-King* - - - - - 33,889; p. 306
Charges of inferiority against officers holding, owing to selection for, *Mudholkar* - - - 37,191
CLASS OF POSTS:
Suitable, *Hullah*, 33,508, 33,603–4; *Dixit*, 36,159; *Kolhatkar*, 37,829.
not Suitable, *Mudholkar*, - - - - 37,210
Europeans should not be eligible unless Statutory Natives of India, *Kolhatkar* - - 37,847–8
Inclusion in I.C.S., not advocated, *Slocock* 36,380–2

Listed Posts—*continued.*
INFERIOR POSTS, MERGING OF, IN P.C.S.:
Approved, *Stanyon*, 34,241; *Nelson*, 34,610; *Khan*, 35,209, 35,507–12, 35,573–7; *Paranjpe*, 35,907, 35,954; *Dixit*, 36,158; *Slocock*, 36,314, 36,316; *Dick*, 36,916.
not Approved, and reasons, *Walayatullah*, 34,944, 35,057–8; *Shukla*, 35,087; *Thakur*, 35,607, 35,869; *Mudholkar*, 37,209; *Kolhatkar*, 37,828.
Members of service and public not ordinarily aware of, *Hullah* - - - - - 33,507
on Judicial side in provinces of Agra and Oudh, *Hullah* - - - - - - - - 33,852
LEAVE:
Privilege should not be allowed to lapse if accumulated, *Kolhatkar* - - - 37,846
Rules, separate from I.C.S., desirable, *Dick* 36,930
Subject to P.C.S. rules, *Hullah* - - - 33,548
Men not received on same footing as junior civilians, *Dixit* - - - - - - - 36,255–7
Men selected for superior, would be regarded with greater respect if appointed to inferior listed posts in Commission, and regarded as members of Commission from that time, *Walayatullah* 35,063–4
Minimum should be preserved, and Indian section should be a different type of man from P.C.S., recruited in England, and scheme for temporary expedient, *Khan* - - - - - 35,476–82
Natives of India only, appointed in regular way, *Hullah*, 33,504, 34,607; *Paranjpe*, 35,905–6.
NUMBER:
in Berar, and Central Provinces, *Hullah* - 33,506, 33,606
Increase:
Advocated, and suggestions, *Walayatullah*, 34,943, 34,981; *Khan*, 35,302, 35,393–4, 35,473–82; *Thakur*, 35,606–7, 35,806, 35,826–7; *Paranjpe*, 35,907, 35,953, 36,005–8, 36,078–80; *Slocock*, 36,305–6, 36,364–9, 36,376–8, 36,529–32, 36,539, 36,563–7; *Kelkar*, 37,673, 37,691, 37,711; *Kolhatkar*, 37,826.
Advocated to one-quarter of posts in I.C.S., *Kolhatkar* - 37,822, 37,829, 37,909–24
Advocated, if special scholarships cannot be arranged, *Walayatullah* 34,927, 34,943, 34,975
Advocated, if simultaneous examinations not adopted, *Shukla* - - - 35,085, 35,088
at Present, *Hullah*, 33,503, 33,828–34; *Nelson*, 34,606, 34,609; *Dixit*, 36,172; *Slocock*, 36,314; *Mudholkar*, 37,205, 37,326, 37,435–65, 37,618–39.
no Objection to scheme for superior posts going to members of P.C.S., if statutory scheme not followed, and if simultaneous examination, granted, and particulars, *Mudholkar* - 37,641–7, 37,652
One held by statutory civilian, *Hullah* - - 33,827
Orders of 1910 *re* recruitment, and listing of number of posts under, objected to, and reasons, *Nelson* 34,836–41, 34,894–7
PAY EQUAL TO I.C.S. RECOMMENDED:
for all listed posts, *Nelson*, 34,665; *Shukla*, 35,098; *Thakur*, 35,617, 35,682; *Paranjpe*, 35,938, 35,962; *Dixit*, 36,170; *Malak*, 36,792.
for certain high posts, *Stanyon*, 34,246; *Slocock*, 36,341, 36,623–34; *Kolhatkar*, 37,845.
not Less than Rs. 1,500 a month, and rising to Rs. 2,000, advocated, *Hullah* - - - 33,542
Three-quarters of I.C.S. pay suggested, *Stanyon*, 34,246, 34,303–4, 36,623–34; *Walayatullah*, 34,952; *Khan*, 35,240; *Mudholkar*, 37,227, 37,237, 37,344.
Two-thirds rule:
an Anomaly, *Dick* - - - 36,928, 37,143
Approved, *Kelkar*, 37,684; *Slocock*, 36,341, 36,379; *Kolhatkar*, 37,845, 37,856.
Varies considerably, and particulars, *Khan* 35,505–9
PENSIONS:
not Approved, *Paranjpe* - - - - 35,968
not Approved, and increase to three quarters or full amount available to members of I.C.S., advocated, *Thakur* - 35,626, 35,682, 35,842–6, 35,880

Listed Posts—*continued.*
PENSION—*continued.*
Approximate to those of I.C.S. suggested, *Stanyon* 34,250
Extra, of Rs. 1,000 a year after three years' efficient service in "superior" post, and of Rs. 2,000 after six years' service, advocated, *Hullah* - - - - - - - - 33,558
Improvement advocated, *Walayatullah*, 34,965; *Kolhatkar*, 37,931.
Rs. 600 per mensem, recommended, after five years, *Khan* - - - - 35,256, 35,584
POWER TO FILL ONE QUARTER WITH NATIVES OF INDIA OTHER THAN OF P.C.S. OR STATUTORY CIVILIANS:
Approved, *Mudholkar* - - 37,208, 37,452
Approved, only if restricted to recruiting higher officers of judicial service from Bar, *Kolhatkar* 37,827
not Approved, *Shukla*, 35,086; *Slocock*, 36,315.
Bestowal of posts on any other "natives of India" would cause violation of, *Hullah* - - 33,506
DIRECT APPOINTMENT:
Graduates only should be admitted, *Thakur* 35,606, 35,804–5
Power of, *Hullah* - - - - 33,837–44
Suggested, *Dixit* - - - - - 36,276
Increase of proportion to one third, advocated, *Dixit* - - - - 36,157, 36,276–81
Power not always utilised and should be exercised by recruiting from legal profession, *Khan* 35,208
not Regularly exercised, *Hullah*, 33,506; *Nelson*, 34,608–9.
Present system, abolition advocated, if simultaneous examination introduced, *Kolhatkar* - - 37,865
Proposals *re*, better than those of previous Public Services Commission, and reasons, *Nelson* 34,821–31
RECRUITMENT:
from all Classes possible, *Mudholkar* - - 37,193
of Indians:
Approved, and extension suggested, *Moss-King* 33,877, 33,919, 34,109–11
into Higher appointments, by selection from P.C.S., might cause diminution of, *Nelson* 34,860
to Higher posts of judicial branch through, particulars *re*, *Slocock* - - - - 36,311
too Late in life, and alteration suggested, *Hullah*, 33,747–51; *Nelson*, 34,599, 34,695–7; *Walayatullah*, 34,943, 34,976–80, 35,012–3; *Slocock*, 36,370–2; *Kolhatkar*, 37,900–3.
from P.C.S., not advocated, *Kolhatkar* - 37,811, 37,872, 37,909
Scheme, *Mudholkar*, 37,435–65; *Kolhatkar*, 37,811, 37,866–72, 37,896–8.
by Selection:
Advocated, *Slocock* - - - - 36,305
at an Early stage of Service:
Recommended, but some objections, *Khan* 35,395
Scheme not objected to, *Kolhatkar* 37,901–3
Effects of, *Slocock* - - - - - 36,373
Special, suggestion, *Paranjpe* - 36,111–2
should be Reserved for Imperial Services, certain proportions being listed for Anglo-Indians and Eurasians and Indians of Provincial Services, *Stanyon* - - - - - - - - 34,240
Restriction to residents advocated, *Kolhatkar* 37,915
Scheme, *Nelson* - 34,600, 34,611, 34,739, 34,821–31
Separate cadre for Indians, an extension of system of, *Dick* - 37,005, 37,007–9, 37,095, 37,144–53, 37,182–4
Separate from appointment of Deputy Collectors, Extra Assistant Commissioners, and Sub-Judges, advocated, *Mudholkar* - - - - 37,209
Specification unnecessary, except to enumerate number in judicial and executive branches, *Slocock* - - - - - - - - 36,317
Superior posts only, advocated, *Hullah*, 33,507; *Khan*, 35,577–8.

Listed Posts—*continued.*
SYSTEM:
Approved, *Nelson*, 34,701; *Sahasrabuddhy*, 36,649; *Kolhatkar*, 37,826, p. 304.
Satisfactory, but some alterations suggested, *Walayatullah*, 34,943; *Thakur*, 35,606.
Satisfactory, but not sole test of qualifications, *Mudholkar* - - - - - 37,385–7
Transference from I.C.S. to P.C.S. advocated, and particulars *re*, *Slocock* - 36,306, 36,380–2, 36,529–32
(*see also under* Particular posts.)

Lucknow, Judicial Branch, work higher in Central Provinces than, *Stanyon* - - - - 34,398

Lytton, Lord, minutes of, reference to, and opinions agreed with, *Mudholkar* - 37,189, 37,191, 37,205, 37,304–7, 37,322, 37,376–8, 37,382

M.

Macaulay, Lord, principles laid down by committee of:
Approved, *Stanyon*, 34,210; *Nelson*, 34,621; *Khan*, 35,202, 35,216; *Paranjpe*, 35,898, 35,916; *Kelkar*, 37,669; *Mudholkar*, 37,275–6, 37,348.
not Fulfilled under present system, and suggestions, *Slocock* - - - - - - - - 36,308

Madras, Government, opening of one third scheduled appointments to Indians advocated, in 1893, *Mudholkar* - - - - 37,191, 37,309–13

Magistrates:
Assistant, Assistant Collectorships should not be held by, *Mudholkar* - - - - - - 37,196
Deputy, Deputy Collectorships should not be held by, *Mudholkar* - - - - - - 37,196
District (*see* Collectors *and* District Magistrates).
Honorary, large proportion of criminal work done by, and particulars *re* work, *Thakur*, 35,699–713, 35,810–1; *Dixit*, 36,206.
Indian, should be under District Magistrate's supervision, and reasons, *Stanyon* - - - 34,524
Junior Civilians, try cases as, at first, *Stanyon* 34,566–7
Large proportion of criminal work done by, and particulars, *Thakur* - 35,810–1, 35,699–713
Military, useful in rebellious states, *Stanyon* - 34,201
Particulars *re* powers and duties in conducting of cases by, *Slocock*, 36,580–4, 36,614, 36,617–22; *Dick*, 37,134–7.
Pensions, superannuation, reduction in age-limit advocated, *Mudholkar* - - - - 37,238
Post of civil judge and, might be combined, *Dixit* 36,219–20
Relations with police department, particulars, *Slocock* 36,591–4
SEPARATION OF JUDICIAL AND EXECUTIVE FUNCTIONS:
Advocated, *Shukla*, 35,173–5; *Dixit*, 36,228–31; *Kelkar*, 37,753.
not Advocated, and reasons, *Dick* - 36,903, 36,976–7, 37,014, 37,124–30
in Presidency towns, and dissimilarity of conditions in country, *Dick* - - 37,125–9
Training sufficient to judge cases brought before, *Khan* - - - - - - - 35,522–3
Training suitable for becoming good judges afterwards, *Slocock* - - 36,234, 36,307
Work, particulars *re*, *Walayatullah*, 34,990; *Dixit*, 36,228–31.
(*see also under* Judicial Branch, I.C.S.)
SUB-DIVISIONAL:
District magistrates' power can be given to, *Stanyon* - - - - - - - 34,520
Removal of power to try criminal cases from, advocated, *Sahasrabuddhy* - - - 36,766
Selection for posts of additional sessions or sessions judges should be made only from among, *Thakur* - - - 35,605, 35,677
Training in certain posts before appointment as, advocated, *Mudholkar* - - - - 37,221

Magistrates—*continued.*
SUBORDINATE:
Cases of undue interference with, by district magistrate rare, *Khan* - - 35,235, 35,526–8
Revenue functions, particulars of, *Dick* 36,903, 37,015–20, 37,125–30
Transfer of case from Indian to European, applications for, *Moss-King* - 33,993, 34,027–31

Malak, H. H., evidence of - - - 36,768–894

Mamlatdars:
no Legal training, *Khan* - - - - 35,525
Named tahsildar, on Bombay side, *Paranjpe* - 36,077

Marathas:
Educational ability, *Paranjpe* - - - 35,945
Number in P.C.S., *Hullah*, 33,570; *Kelkar* 37,681.

NON-MAHRATTA HINDUS:
Number in P.C.S., *Hullah* - - - 33,570

Medical Attendance:
Free to officers' wives and families, advocated, *Walayatullah* - - - 34,967, 35,007–8, 35,014–6
Provision of suitable attendance advocated - p. 310

Military Officers:
Number and particulars, *Hullah*, 33,500; *Nelson*, 34,603; *Dick*, 36,914; *Mudholkar*, 37,435–6; *Kelkar*, 37,671–2.
Popularity as compared with Civilians, *Sahasrabuddhy* - - - - - - - - 36,701–3

REINTRODUCTION OF SYSTEM:
Advocated, *Hullah*, 33,501; *Sahasrabuddhy*, 36,647–8.
not Advocated, *Stanyon*, 34,201–2; *Nelson*, 34,604–5; *Shukla*, 35,084; *Khan*, 35,207; *Dick*, 36,914; *Mudholkar*, 37,206; *Kelkar*, 37,672; *Kolhatkar*, 37,825.

Mining Department, officer in, holding technical scholarship, particulars *re*, *Kelkar* - - 37,779–80

Ministerial service, exchange of duties with provincial judicial service suggested, *Paranjpe* 36,086–9, 36,114–8

Moneylenders:
Number, business and law suits, particulars, *Sahasrabuddhy*, 36,747–54; *Dick*, 37,154–7.
Standing counsel employed by, and particulars, *Sahasrabuddhy*, 36,752–8; *Dick*, 37,158–61, 37,165–3.

Moss-King, Robert Curzon Henry, I.C.S., evidence of 33,869–34,178

Mudholkar, R. N., evidence of - - 37,187–37,657

Muhammadans:
Chances in and Desire for simultaneous examination, *Malak* - - 36,815–7, 36,819–20, 36,856–8
Honours in B.A. and B.Sc. taken by, number and particulars *re*, conditions and prospects of, *Slocock* 36,305, 36,418–20, 36,468
Improvement in education and public life by, *Mudholkar* - - - - - - - - 37,191
Number in P.C.S., *Hullah*, 33,570; *Shukla*, 35,102; *Khan*, 35,252; *Thakur*, 35,597, 35,863–8; *Dick*, 36,934; *Kelkar*, 37,681.

Munsifs:
Civilians training for judicial branch should do work of, *Kelkar* - - - - - - 37,666
Comparison with Sub-Judge, *Hullah*, 33,778; *Slocock*, 36,406.
Inclusion of Grade in P.C.S., advocated, *Walayatullah*, 34,936, 34,984–7, 35,025; *Shukla*, 35,107, 35,130–1; *Paranjpe*, 35,943, 35,957, 35,980–2, 36,037–40, 36,081, 36,108; *Dixit*, 36,204, 36,208–9, 36,221–4, 36,282–3, 36,299–302; *Dick*, 36,931, 36,984–5; *Kelkar*, 37,744–5; *Kolhatkar*, 37,855, 37,906.
Interchange of duties with other judicial officers advocated, *Paranjpe* - - - 35,946, 36,113–8
Law graduates sometimes prefer to go in for law instead of becoming, and congestion of Bar owing to, and particulars, *Paranjpe* - - 36,048–52
Number of, *Stanyon*, 34,315; *Thakur*, 35,731–2, 35,735.

Munsifs—*continued.*
Number, increase necessary, *Paranjpe* - - 36,140
Pay, increase of advocated, *Stanyon*, 34,304, 34,308, 34,382–5, 34,527–30, 34,569; *Walayatulluh*, 34,985–7; *Paranjpe*, 35,957, 35,982; *Dixit*, 36,205; *Dick*, 36,903, 36,919, 36, 981–4, 37,087; *Mudholkar*, 37,236; *Kelkar*, 37,742–3.
Pecuniary jurisdiction, amount, *Hullah* - - 33,771
Pension, full, after 25 years' service, advocated, and particulars, *Kolhatkar* - - - - 37,858
Promotion unsatisfactory, *Paranjpe*, 36,123; *Dixit*, 36,203, 36,207, 36,282–3, 36,299–302.

RECRUITMENT:
Direct to, does not attract best material available from local bar, as pay poor, *Stanyon*, 34,527–8; *Dick*, 36,981–4, 37,087.
Number appointed annually, *Paranjpe* 36,045–6
Qualifications required, *Hullah*, 33,774–6; *Stanyon*, 34,304; *Paranjpe*, 36,043; *Dick*, 36,923; *Kelkar*, 37,680.
Recruits from bar would start as, in subordinate civil courts, and particulars, *Dick* 36,903, 36,919, 37,079–82
Supervised by district judges, *Stanyon* - - 34,313
in Subordinate Civil Service, *Hullah* - - 33,773
System by which direct recruitment to judicial branch is restricted to recruitment of, no change advocated, *Stanyon* - - - - 34,529–32
Tahsildar and police inspectors and, considered equal, but functions separate, *Walayatullah* 34,942, 35,028
Title of "Mr." should be prefixed to their names in official documents, *Kolhatkar* - - - 37,860
Training, particulars *re*, *Hullah* - - 33,774–6

N.

Nagpur:
Citizens, interest taken in I.C.S. problems by, *Malak* 36,850–3

Natives of India (*see* Indians).

Native States, inclusion of residents of, in term Natives of India advocated, and particulars, *Shukla*, 35,075; *Mudholkar*, 37,188, 37,194, 37,197, 37,264–6; *Kolhatkar*, 37,815.

Nelson, Arthur Edward, I.C.S., evidence of 34,567–34,921

Nomination (*see under* Recruitment).

"Non-Regulation" Province, assimilation of official nomenclature to that of "Regulation Provinces," would not be objected to, *Hullah* 33,532, 33,688–92

O.

Open Competition in England (*see* Indian Civil Service Examination).

Oriental Languages:
Scheme for encouragement of study of, *Nelson* 34,632
Suitable scheme of instruction in, in India could be managed, *Stanyon* - - - - - - 34,216
in Syllabus of Civil Service examination (*see under* Syllabus *under* Indian Civil Service Examination).
Training in England in, advocated, *Nelson*, 34,627; *Slocock*, 36,308, 36,323.
(*see also* Vernaculars.)

Overwork (*see under* Insufficiency of Staff).

P.

Paranjpe, Ramchandra Wasudeo, evidence of 35,882–36,140

Parsis, numbers in P.C.S., *Hullah*, 33,570; *Shukla*, 35,102; *Kelkar*, 37,681.

Pay, I.C.S.:
ACTING ALLOWANCES:
Officers will not complain of, as long as they enjoy fair measure of promotion, *Nelson* - - 34,559
Retrenchment system, particulars of, and objections to, *Nelson* - - - - 34,659, 34,795
Scheme satisfactory, *Hullah* - - - 33,535

Pay, I.C.S.—*continued.*
in Central Provinces, inferiority of, in comparison with pay of other provinces, and dissatisfaction *re*, *Hullah*, 33,532; *Nelson*, 34,640.
Differentiation for Indians, necessary, *Slocock* 36,568–9
Exchange Compensation Allowance:
Abolition of, advocated:
With increase of pay for *all* officers, *Hullah*, 33,533–4; *Moss-King*, 33,890; *Nelson*, 34,658; *Khan*, 35,238; *Slocock*, 36,338; *Dick*, 36,926–7; *Mudholkar*, 37,225.
With increase of pay for officers domiciled in Europe, *Mudholkar* - - - 37,225 6
With restriction to future entrants, *Shukla*, 35,097; *Kolhatkar*, 37,844.
no Distinction in granting of, advocated *Paranjpe*, 35,937.
First-class passage to India on appointment advocated, *Nelson*, 34,619; *Khan*, 35,214; *Slocock*, 36,319.
Fixed pay, number of appointments which do not carry, and salary of which depends on position of holders, *Hullah* - - - - - - 33,528
Heaviness of charge should not be considered, but local allowance might be given, *Hullah* 33,817–20
Inadequate, and evil results, *Dick* - - - 36,896
Listed posts (*see under* Listed posts).
Lower posts, no dissatisfaction, and particulars *re*, *Hullah* - - - - - - - - 33,701
Officers of Over eight years' service in receipt of less than Rs. 1,000 a month, statement of number and names, *Hullah* - - - - - - 33,513
Rates of pay and grading:
Alterations suggested if time-scale system not approved, *Nelson* - - - 34,655–6, 34,891
Difference in rates between provinces simpler than difference in grading, *Hullah* - - - 33,743
Equal, for Indians and Europeans, advocated, *Nelson* - - - - - - - - 34,658
Grades, improvement in, necessary, *Hullah* 33,531 33,815
Mistake in list of grades, particulars *re*, *Slocock* 36,334
Number of posts and, for certain years, statement, *Hullah* - - - - - - - - 33,529
Present system of grading satisfactory, but grade of Rs. 1,000 should be added, *Khan* 35,580–2
Reduction of age of arrival in India would improve, in proportion to age, *Slocock* - - 36,503–6
not Satisfactory, *Hullah*, 33,530–1; *Moss-King*, 33,889–90; *Nelson*, 34,655; *Khan*, 35,236; *Slocock*, 36,335–6; *Kolhatkar*, 37,855.
Statements in Appendix VIII.:
Approximately correct, *Nelson* - - 34,654
Corrections given, *Hullah* - - - 33,528
Unfavourable, and remedies advocated p. 306–7
Scheme unsatisfactory, *Nelson* - 34,659, 34,714–8
Special appointments, special remuneration suggested, and particulars, *Slocock* - - - - 36,339
Special and local allowances, retention, advocated, and statement *re*, *Hullah* - - - - 33,734
in Superior posts, should be according to status and responsibility, *Slocock* - - - - 36,339
Time-scale:
Advocated, and schemes, *Hullah* 33,537–41, 33,619, 33,623, 33,726–38, 33,859–66; *Moss-King*, 33,890; *Nelson*, 34,655, 34,661–3, 34,719–20, 34,817–9; *Khan*, 35,234, 35,239, 35,336–49; *Slocock*, 36,339; *Dick*, 36,987.
Remedy for inequalities of promotion and prospects existing under present system, *Khan* 35,236, 35,346
Travelling allowance:
Increase advocated, *Kelkar* - - - 37,740
Inadequate, and suggestions *re*, *Walayatullah* 34,967
On transfer, insufficient, *Kelkar* - 37,736–9
Uniformity between Provinces:
Advocated, *Hullah*, 33,532, 33,650–4, 33,742; *Nelson*, 34,657; *Paranjpe*, 35,936; *Slocock*, 36,337.
Dissatisfaction owing to lack of, *Khan* - 35,237
(*see also particular posts.*)

Pay, P.C.S.:
Adequate, *Kolhatkar* - - - 37,803, 37,855
Adjustment of salary by consideration of terms necessary to secure locally desired qualifications in officers:
Approved, *Hullah*, 33,582; *Stanyon*, 34,243; *Walayatullah*, 34,946; *Shukla*, 35,106, 35,192–3; *Malak*, 36,795; *Mudholkar*, 37,235; *Kolhatkar*, 37,854.
not Approved, *Thakur*, 35,609, *Paranjpe*, 35,956, 36,031–6; *Dixit*, 36,178.
Grading:
List of grades, *Shukla*, 35,104; *Dixit*, 36,172.
Preferred to time-scale, *Khan*, 35,254, 35,404, 35,407 9; *Paranjpe*, 35,959, 36,009.
Revision of, necessary, *Hullah*, 33,584, 33,735–6; *Walayatullah*, 34,947, 34,982–3; *Shukla*, 35,104, 35,129; *Khan*, 35,254; *Thakur*, 35,611, 35,685; *Paranjpe*, 35,957, 36,100; *Dixit*, 36,172; *Mudholkar*, 37,236, 37,287, 37,653.
Improvement in, more important than in Leave Rules, *Paranjpe* - - - - - 36,025–7
Principle of Public Service Commission, 1886–87 (*see* Adjustment of Salary *above*).
Rates of:
Alterations suggested in case of retention of present system of grading, *Paranjpe* 36,100–2
Increase necessary, *Stanyon*, 34,244, 34,304–9, 34,568–70; *Khan*, 35,254, 35,403–6; *Thakur*, 35,611, 35,682–5; *Paranjpe*, 35,957, 36,100; *Mudholkar*, 37,236, 37,284 5, 37,653.
Proposed scale - - - - - - p. 310
Revision, date, and effect of last, *Hullah* - 33,583
Statement for 1890, 1900, 1912, and date of last general reorganisation, *Hullah*, 33,583; *Thakur*, 35,610.
Time-scale:
Advocated, *Hullah*, 33,586; *Walayatullah*, 34,949, 34,996; *Thakur*, 35,601, 35,604, 35,612–6, 35,668–72; *Paranjpe*, 35,959–61, 36,011–2, 36,014–6, 36,097–8; *Dixit*, 36,172, 36,203; *Mudholkar*, 37,285; *Kolhatkar*, 37,852, 37,885–6.
Advocated, and reasons and details - - p. 307
not Advocated, *Stanyon* - - - - 34,245
Practical working in other services good, *Thakur*, 35,615; *Paranjpe*, 35,960.
Schemes, *Hullah*, 33,588, 33,739–41; *Walayatullah*, 34,950–1, 34,997–8.
Separate, for each main grade, not advocated, *Hullah*, 33,587; *Thakur*, 35,614.
Travelling allowances:
Present rates insufficient, and members should be classed as first class officers in matter of, *Walayatullah* - - - 34,967, 35,006
Proposal for improvement, *Thakur* 35,630, 35,682
Statement, *Hullah* - - - - - 33,583
on Transfers, advocated, *Paranjpe* - - 35,965
(*see also* Executive Branch, P.C.S., *and* Judicial Branch, P.C.S., *and under particular posts.*)

Pensions, I.C.S.:
Annuity Fund, complaints of secrecy in management, *Nelson* - - - - - - - - 34,771–3
Annuity deductions:
Abolition suggested - - - - p. 309
Conversion into Provident fund, suggested, *Slocock*, 36,349, 36,351
(*see also* Non-Contributory *below.*)
Annuities:
Amount contributed by officers and by Government, *Hullah* - - - - - - 33,550
Equal:
Real, of 1,000*l.* advocated, *Nelson* - - 34,675
Satisfactory as a whole, *Hullah*, 33,550–3, 33,555, 33,557; *Nelson*, 34,675.
not Satisfactory, *Moss-King* - - - 33,892
System generally satisfactory, but too much paid by officers and not enough by Government, *Slocock* - - - - - - - 36,349–51
Increase to certain officers advocated, *Slocock*, 36,349–51; *Robertson*, p. 303–4.

Pensions, I.C.S.– *continued.*
Listed posts (*see under* Listed Posts).
Medical, suggested scale, *Nelson* - - - 34,679
Necessity of retaining 1,000*l.* on retirement, *Hullah* 33,550
NON-CONTRIBUTORY:
Advocated, and scheme, *Moss-King* - 33,893. 33,963 5
not Advocated, *Nelson* - - - 34,676
Minimum, advocated, *Slocock* - - - 36,350
Net, of 1,000*l.*, advocated - - - - p. 309
Reduction, question of effect, *Moss-King* - 33,964
REDUCED FOR INEFFICIENCY:
Approved, *Khan*, 35,194, 35,247, 35,433; *Thakur*, 35,625.
Approved, and scale of medical pensions suggested, *Hullah*, 33,556; *Nelson*, 34,678, 34,727–32; *Slocock*, 36,353.
Proportionate, at early stage, advocated - p. 309
Views of Government of India *re*, agreed with, *Hullah* - - - - - - - - 33,556
RULES:
Satisfactory with regard to interests of Government and individuals, and for voluntary or compulsory retirement, *Khan* - - 35,248
not Satisfactory, and suggestions *re*, *Nelson* 34,679
Superannuation, sliding-scale not approved for, *Moss-King*, 33,893; *Slocock*, 36,350.
not Understood fully that Government does not contribute full amount, *Moss-King* - 33,963–4
(*see also under* Executive Branch, I.C.S.)

Pensions, P.C.S.:
Age limit for Indians should be reduced for purpose of, *Walayatullah* - - - - - 34,966
Alterations suggested, *Paranjpe* 35,966, 36,029–30
Amounts and particulars *re*, *Mudholkar* 37,655–6
Extensions after 55, abolition advised, *Walayatullah* 34,963
Fixed in proportion to pay, and improvements in pay would naturally benefit, *Paranjpe* - 36,026–9, 36,103–6
on Half pay, period of service of qualifying for, should not be same for judicial and executive officers, *Walayatullah* - - - - 34,966
REDUCED FOR INEFFICIENCY:
Approved, and particulars *re*, *Paranjpe* - 35,967
not Approved, *Walayatullah* - - - 34,964
Sufficient, *Kolhatkar* - - - - - 37,933
should Suit position and rank of receiver, *Paranjpe* 36,107
System satisfactory, *Hullah*, 33,594–5; *Walayatullah*, 34,962; *Thakur*, 35,623; *Sahasrabuddhy*, 36,668.
(*see also under* Judicial Branch, P.C.S.)

Pleaders:
Appointed to sub-judgeships, certificate from district judge and length of practice should be considered, and particulars, *Paranjpe* - 36,003
Appointment, suggestions *re*, *Walayatullah* - 34,936
Outsiders sometimes taken as, and little work done by, *Paranjpe* - - - - - 36,047, 36,053
Recruitment to judicial branch, advocated, and particulars *re*, *Stanyon* - - 34,374–7, 34,389

Police:
domiciled Europeans and Anglo-Indians serving in commissioned and non-commissioned ranks, comparison with Europeans, and particulars *re* recruitment of, *Slocock* - - - - - 36,489–96
Inspector of munsif, tahsildar, and, considered equal, *Walayatullah* - - - - - - 35,028
INSPECTOR GENERAL:
Appointment open to I.C.S. and Police Department, and benefit of recruitment from I.C.S. doubtful, but no alteration advocated, *Slocock* 36,448–51, 36,510–2
Pay and position, *Hullah*, 33,514, 33,529, 33,734; *Slocock*, 36,330, 36,334.
Should be member of I.C.S., *Dick* - - 36,910
Statement *re*, incorrect, and corrections, and particulars *re* pay, &c., *Nelson* - - 34,640
Instances of Civil Servants taking charge of, *Kelkar* 37,666
Relations with magistracy, particulars, *Slocock* 36,591–4
Training particulars, *Slocock* - - 36,324, 36,392, 36,397–8, 36,452–6

Poona, Fergusson College, advocated for training candidates for I.C.S., and particulars, *Malak* - 36,879, 36,881, 36,883

Post Office:
Instances of Civil Servants taking charge of, *Kelkar* 37,666
Superintendents of post offices, treated as first-class officers for travelling and daily allowances, *Thakur* 35,630

Precedence, Warrant of, senior officers of P.C.S. may be given some place in, *Walayatullah* - - 34,967

Probation, I.C.S.:
Advocated, *Shukla*, 35,089; *Dixit*, 36,161; *Sahasrabuddhy*, 36,650; *Mudholkar*, 37,211; *Kolhatkar*, 37,830.
ALLOWANCE:
Advocated, *Moss-King*, 33,886, 34,069 73; *Stanyon*, 34,208.
Advocated, and present scale might be improved, *Paranjpe* - - - - - - 35,913
150*l.* and first-class passage to India recommended contingent on residence at university, *Khan* 35,214
Scheme, *Nelson* - - - - - - - 34,619
COURSE OF STUDY:
Accounts:
Advocated, *Paranjpe* - - - - 35,917
not Necessary, *Nelson* - - - - 34,623
Teaching not feasible without extension of period, *Khan* - - - - - 35,218
no Alterations suggested except re-marking of certain subjects, *Paranjpe* - - - 35,916
Candidates should study language, agriculture, and settlement, of province to which they are posted, *Sahasrabuddhy* - - - - - 36,651
Differentiation for Natives of India:
Advocated, and particulars, *Paranjpe* - 35,924
not Advocated, *Stanyon*, 34,218; *Nelson*, 34,628; *Khan*, 35,223; *Dixit*, 36,162; *Shukla*, 36,652, 36,708–9; *Dick*, 36,918; *Mudholkar*, 37,213; *Kolhatkar*, 37,832
not Advocated, unless Natives of India posted to their own provinces, and particulars, *Sahasrabuddhy* - - - - - 36,652, 36,708–9
Europeans should learn one vernacular at least, *Dixit* - - - - - - - - 36,162
Indian Geography:
Advocated, *Paranjpe* - - - - 35,917
not Necessary, *Nelson* - - - - 34,623
Teaching not feasible without extension of period, *Khan* - - - - - - 35,218
Indian languages:
Knowledge should be laid in England, but no serious attempt need be made at colloquial instruction, *Nelson* - - - - 34,623
Special attention should be paid to training in, *Shukla* - - - - - - - 35,091
Teaching not feasible without extension of period, *Khan* - - - - - - 35,218
Law:
Attendance at law courts:
Advocated, *Nelson*, 34,622; *Paranjpe*, 35,917.
not Advocated, *Stanyon*, 34,212, 34,366–71; *Khan*, 35,218.
Indian law:
in Addition to general principles of jurisprudence, advocated, *Nelson* - - - 34,623
not Feasible unless period extended, *Khan* 35,218
Political economy:
Advocated, *Paranjpe* - - - - 35,917
not Necessary, *Nelson* - - - - 34,623
Teaching not feasible without extension of period, *Khan* - - - - - 35,218
Present, suitable and some changes recommended, *Khan*, 35,217; *Mudholkar*, 37,212.
Principles of Lord Macaulay's Committee *re*:
Agreed with, but special law examination would not violate, *Mudholkar* - 37,275–6, 37,348

Probation, I.C.S.—*continued.*
COURSE OF STUDY—*continued.*
Principles of Lord Macaulay's Committee, *re*—*continued.*
Satisfactory for candidates who pass examination after completing University course, *Nelson* - - - - - - - 34,621
Sound, provided probationer's course is continued in England, *Stanyon* - - 34,210
Schemes, *Stanyon*, 34,211–2; *Nelson*, 34,622.
Suggestions *re*, *Shukla* - - - - - 35,091
Test about languages, local laws and Indian polity, suggested as in P.C.S., *Malak* 36,787–8, 36,870–2
DIFFERENTIATION BETWEEN PERSONS OF MIXED AND UNMIXED DESCENT:
not Advocated, *Nelson*, 34,636; *Khan*, 35,230; *Dixit*, 36,160; *Sahasrabuddhy*, 36,662; *Mudholkar*, 37,223; *Kolhatkar*, 37,843.
Natives of India should spend probation in England and Europeans in India, *Paranjpe* 35,933
IN ENGLAND:
Advocated, *Nelson*, 34,624; *Khan*, 35,219; *Mudholkar*, 37,214; *Kelkar*, 37,675 6, *Kolhatkar*, 37,833.
Advocated if age limit reduced, *Slocock* - 36,318
Advocated only if appointments to judicial branch made from I.C.S., *Dick* - - - - 36,919
not Advocated, *Dick* - - - - - 36,917
Allowances advocated, with first-class passage to India, *Slocock* - - - - - 36,319
Allowances and term of, particulars *re*, and expenditure would be justified, *Mudholkar* 37,357–66
Continuation of system, advocated, *Khan*, 35,210; *Nelson*, 34,615.
General course for one year or more, should be given, *Paranjpe* - - - - - 35,915
Increase in number of Indians in residence at Cambridge, *Khan* - - - - - 35,295
for Indians essential, *Moss-King* - - 33,871
for Indians for 1½ years advocated, and suggestions, *Malak* - - 36,788, 36,836–7, 36,873
Period:
One year:
for Europeans and two years for Anglo-Indians and Eurasians advocated, *Stanyon* 34,204, 34,358
Satisfactory under present system, *Khan*, 35,211, 35,282, 35,397–401; *Paranjpe*, 35,909–10, 35,923, 35,933.
Two years:
Advocated, *Paranjpe*, 35,923, 35,933; *Kelkar*, 37,674.
Advocated for Indians, *Paranjpe*, 35,922; *Kolhatkar*, 37,842; *Robertson*, p. 303.
should be Compulsory if direct recruitment in India introduced, *Paranjpe* 35,910, 35,922
at University or College for Indians recruited in India, advocated, *Mudholkar* - 37,191, 37,426–8
Three years' study suggested, with scholarship scheme, *Khan* - - - - - 35,272
Preferred for Indians, *Paranjpe* - - 35,918
Separate institution:
Advocated, and particulars, *Dixit*, 36,163, 36,320; *Malak*, 36,789.
not Advocated and reasons, *Nelson*, 34,619; *Khan*, 35,215; *Slocock*, 36,320.
Civil Service Commissioners should decide upon advisability of, *Paranjpe* - - - 35,914
at approved University:
Advocated, and scheme and particulars *re*, *Moss-King*, 34,072; *Stanyon*, 34,206–7, 34,209; *Nelson*, 34,617–8, 34,790–4; *Khan*, 35,212–13, 35,223, 35,292, 35,386; *Paranjpe*, 35,911; *Mudholkar*, 37,357–64.
not Advocated, *Dixit* - - 36,163, 36,190–1
Particulars *re* spending at, *Dixit* - - 36,190
Selection of should be in hands of Civil Service Commissioners, *Paranjpe* - - - 35,912
High-born Indians should spend much longer period and at different centres, in case of nomination by Secretary of State, *Paranjpe* - - - 35,934

Probation, I.C.S.—*continued.*
IN INDIA:
Arrangements for course of instruction by Provincial Governments:
Advocated, *Paranjpe*, 35,920; *Sahasrabuddhy*, 36,655; *Mudholkar*, 37,216, 37,231.
not Advocated, *Kolhatkar*, 37,835; *Nelson*, 34,626; *Shukla*, 35,094; *Khan*, 35,221.
Preferred to one centre, *Moss-King* - 33,886
Best place after one year's probation in England, *Slocock* - - - - - - - 36,321
Better than in England, *Slocock*, 36,308, 36,321; *Sahasrabuddhy*, 36,653, 36,691.
Character well developed by, *Slocock* - - 36,481
Special College:
Advocated, and particulars, *Stanyon*, 34,214, 34,285–302, 34,358–62; *Paranjpe*, 35,919, 35,923, 35,933; *Malak*, 36,788, 36,838–40, 36,873–5.
not Advocated, and reasons, *Nelson*, 34,625; *Shukla*, 35,093; *Khan*, 35,220; *Dixit*, 36,164; *Slocock*, 36,322; *Sahasrabuddhy*, 36,654; *Dick*, 36,920; *Mudholkar*, 37,215, 37,356; *Kolhatkar*, 37,834.
Preferred, if candidate has public school education, *Moss-King* - - - - - 33,886, 34,089
Preferred for Europeans, *Paranjpe* - - 35,918
Last year, under senior officer not better than at a college in India, and reasons, *Stanyon* 34,295–302
Overwork, danger of, *Nelson* - - - 34,622–3
Part of time should be spent in India and part in England, and particulars *re*, *Stanyon* - - 34,213
PERIOD:
should be Allow for completion of general education and for special studies suited for career in India, *Nelson* - - - - - - - - 34,621
One year, advocated, *Nelson*, 34,616, 34,711; *Kolhatkar*, 37,831.
One or two years advocated, *Malak* - - 36,786
Two years advocated, *Moss-King*, 33,886, 34,070 3; *Paranjpe*, 35,882; *Dixit*, 36,163; *Sahasrabuddhy*, 36,651; *Mudholkar*, 37,212.
Two years in England for Indian candidates, and a year in England and one in India for European candidates advocated, *Shukla* - 35,090, 35,092
Probationers should not be shipped to India directly after severe examination, but allowed period of rest, *Nelson* - - - - - - - 34,624
at Resident university - - - - - p. 303
Scheme, *Stanyon* - - - 34,205–15, 34,358–71
not very Serious training, and particulars *re*, *Nelson* 34,710–2
System, and satisfactory, *Walayatullah* - - 34,935
Training for first two years' service, scheme, *Stanyon* 34,215, 34,358–63
(*see also under* Executive Branch, I.C.S., *and* Judicial Branch, I.C.S.)

Probation, P.C.S.:
PERIOD:
One year, instead of two, should be enough if passing of departmental examinations not called for, but reduction not advocated, and scheme, *Thakur* - - - - - - - - 35,598
Two years tantamount to weeding out, *Khan* 35,409
Rules, *Hullah* - - - - - - 33,564
Scheme, *Stanyon* - - - - - - 34,234
SYSTEM:
Satisfactory, *Shukla*, 35,103; *Sahasrabuddhy*, 36,666; *Kolhatkar*, 37,851.
not Satisfactory, and reasons, *Stanyon* - 34,234

Promotion, I.C.S.:
All members should have prospect of, within reasonable time, *Nelson* - - - - - 34,664
BLOCK IN:
Causes, particulars *re*, *Hullah*, 33,515, 33,611–3; *Moss-King*, 33,889; *Nelson*, 34,645, 34,649, 34,801–5; *Dick*, 36,896.
Scheme for removing, *Nelson* - 34,645, 34,649, 34,801–5, p. 304–7
Graded system, no advantage in, *Slocock* - 36,339
Grade, should be contingent on standard passed in departmental examination, *Khan* - - 35,225

Promotion, I.C.S.—*continued.*
of Inefficient men, stopped, *Walayatullah* - 34,941
Officers failing to obtain, number, and inconveniences caused by, *Nelson* - - - - - 34,639
OFFICIATING GRADE:
Delay in notifying promotions and reversions, and hardship of, *Hullah*, 33,536; *Nelson*, 34,660.
Promotion and reversion of officers of I.C.S., notification - - - - - - - - p. 291
Reduction of age of arrival in India, would not affect, *Slocock* - - - - - - 36,502–6
SELECTION:
Little under present system, but better than by seniority, *Khan* - - - - - 35,345–9
Proposals of Government of India, approved, *Hullah* - - - - - - - - 33,526
Recommendations of Decentralisation Committee:
Approved, *Khan* - - - - - 35,234
should be More strictly followed, in case of introduction of scheme for extra pensions, *Slocock* - - - - - - - 36,349
by Seniority under present system, and no advantage over time scale, and suggestions, *Khan* 35,345–9
to Superior posts, at ages of 29 or 30 proposed, with same period of service before, *Slocock* - 36,308, 36,389–91
System satisfactory, *Nelson* - - - - 34,652
Time-scale (*see under* Pay, I.C.S.).
(*see also under* Judicial Branch, I.C.S.)

Promotion, P.C.S.:
Extension of service, abolition, except in exceptional cases, advocated, *Thakur* - - - - 35,604
Grade above Rs. 400, officers passed over for, few instances known, *Walayatullah* - - 34,993–4
Graded system, congestion owing to, and time-scale would improve matters, *Paranjpe* 35,959, 36,097–8
TO HIGHER POSTS:
not fully Approved but alteration not proposed, *Moss-King* - - - - - 33,877, 33,912
by Merit, would not cause dissatisfaction, *Nelson* 34,741–3
Training in P.C.S. not of itself adequate, *Moss-King* - - - - - - - - 33,913–6
Increase of prize appointments would be an attraction, but promotion should be earlier, *Dixit* 36,155, 36,276–81
Interests of administration and of individuals duly reconciled, *Paranjpe* - - - - - 35,951
OFFICIATING GRADE, ABSENCE OF:
a Grievance, and suggestions *re*, *Walayatullah*, 34,948; *Thakur*, 35,601, 35,612–3, 35,668; *Paranjpe*, 35,958, 36,101–2; *Kelkar*, 37,683, 37,732–5.
Grievance, but no change advocated in system, *Hullah* - - - - - - - - 33,585
Present system, satisfactory, and continuance advocated, *Walayatullah* - - - - - 34,941
Rules, list of, *Hullah* - - - - - 33,564
beyond Rs. 800 not advocated, *Kolhatkar* - 37,884
BY SELECTION:
no Change proposed, *Paranjpe* - - - 35,950
to Grades above that carrying Rs. 400 a month, rule approved, *Hullah* - - - - 33,579
is Not and should not be enforced, *Stanyon* 34,238
Special, advocated, *Thakur* - - - 35,616
by Seniority and efficiency, and suggestions *re*, *Walayatullah* - - - - - - 34,940
Seniority tempered with selection, generally approved, *Slocock* - - - - - - - - 36,546–8
SLOW:
Causes, and no officiating promotions, *Walayatullah* 34,939, 34,948
Discouragement to entrance, *Dixit* - 36,172, 36,202–3
Slower in practice than in theory, *Slocock* - 36,544
Statistics *re* grades, particulars, *Dixit*, 36,203, 36,207, 36,282–3, 36,299–302
from Subordinate ranks the best method of recruitment, *Thakur* - - - 35,795–8, 35,804
Time-scale (*see under* Pay, P.C.S.).
(*see also under* Executive Branch, P.C.S., *and* Judicial Branch, P.C.S.)

Prosecuting Inspector, duties of, particulars *re*, *Slocock* 36,614–7

Provident Fund:
Conversion of 4 per cent. contribution into, advocated, *Nelson* - - - - - - - - 34,675
Number of members of P.C.S. subscribing to, *Hullah* 33,597
Present arrangements satisfactory and utilised by members of P.C.S. and expansion would be appreciated, *Paranjpe* - - - - 35,970
Subscribed to by most members of P.C.S. as well as other insurance funds, and no further facilities required, *Thakur* - - - - - 35,628

Provincial Civil Service:
Appointments, details, *Thakur* - - - 35,593
CADRE:
Strength of, *Hullah*, 33,565; *Stanyon*, 34,230; *Walayatullah*, 34,931; *Thakur*, 35,601.
Strength of in 1890, 1900 and 1912, *Thakur* 35,610
Central Provinces and Berar, pay and prospects, should be placed on same footing as in United Provinces and Oudh, *Kolhatkar* - - - 37,929
CLASSES OF OFFICES AND APPOINTMENTS:
no Change advocated, *Hullah*, 33,573; *Stanyon*, 34,236.
Removal of certain posts to other departments suggested, *Thakur* - 35,600, 35,640–51, 35,799
Suggestions *re*, *Kelkar* - - - - 37,682
Conditions governing, no alteration suggested, *Kolhatkar* - - - - - - - 37,813
Conditions not likely to attract best men among educated classes, *Paranjpe* 35,956, 36,031–3, 36,036
DESIGNATION:
Approved, *Hullah*, 33,581; *Stanyon*, 34,242; *Thakur*, 35,608; *Paranjpe*, 35,955; *Mudholkar*, 37,234.
not Approved, and Uncovenanted Civil Service suggested, *Walayatullah* - - - 34,945
Immaterial, *Dixit* - - - - - 36,177
Differentiation between Europeans, Eurasians, and Hindus, not advocated, *Thakur* - - 35,756–8
Direct appointment to grade of Rs. 300, and continuous service to highest post, question of, *Mudholkar* - - - - - - 37,648–52
Districts, further sub-division advocated, *Dick* 36,935
Domiciled Europeans and Anglo-Indians in, do well, *Moss-King* - - - - - - 34,141–3
Educational qualifications, question of, *Hullah* 33,665–8
Effect of separate cadre upon, *Dick* 36,993–7004 37,144–53, 37,181–4
History of constitution and particulars, *Thakur*, 35,593; *Paranjpe*, 35,942.
Majority of members die on duty, *Walayatullah* 34,966, 35,004–5
Mastery of vernaculars acquired by some members of, and particulars, *Slocock* - - 36,497–501
Members work well, *Moss-King* - 33,874, 33,913–4, 34,125, 34,158–63
Organisation not approved of, and reasons, *Stanyon*, 34,252; *Thakur*, 35,629; *Kolhatkar*, 37,859.
Popularity, and class of officers, and particulars *re* *Nelson*, 34,734–7, 34,796–8; *Shukla*, 35,137; *Dixit*, 36,171.
POSTS OPEN TO:
should not be Guaranteed to men entering for I.C.S. examination in case of failure, *Dick* 37,101
too Many, in 5th and 6th grades, *Thakur* - 35,604
None higher than district officers and district and sessions judges, *Mudholkar* - - - 37,205
Unsuccessful scholars in I.C.S. examination might enter, *Khan* - - - - - - - 35,197
Posts transferred to, *Thakur* - - - 35,593
Prestige not so high as of I.C.S., *Shukla* 35,165–6
no Reserve provided for, in scale, but power of Chief Commissioner to appoint a limited number of probationers, if necessary, *Thakur* - - 35,602
Stigma of inferiority, *Mudholkar* - - 37,635–6, 37,648–52
Starts from sub-judges and goes up to district judges, *Dixit* - - - - - - 36,204

Provincial Civil Service —*continued.*
Superior posts in, qualification should be B.L. or LL.B. instead of B.A. and B.Sc. as fixed for subordinate line, *Thakur* - - - 35,759–66
Superior posts in judicial service should be reserved for deserving members of, *Stanyon* - - 34,189
Superior posts, more liberal share for, desired, *Paranjpe* - - - - - - - 35,001
System, self-contained, drawbacks, and alterations suggested, *Thakur* - 35,601, 35,652-4, 35,665
(*see also* Conditions of Service, Leave, Pay, &c.)

Public Service Commission, 1886:
Principles laid down by *re* pay (*see under* Pay, I.C.S.).
Work done by, particulars, *Mudholkar* - 37,189, 37,205–6, 37,209, 37,446–51

Public Works Department:
Head of, should be member of I.C.S., *Dick* - 36,910
Pension, additional, to certain officers of high rank, may be sanctioned on certain conditions, *Hullah* 33,550
Time-scale satisfactory, *Hullah*, 33,539; *Nelson*, 34,662.

Q.

Queen's Proclamation, not violated by present system of recruitment, *Nelson* - - - - - 34,582
Quinquennial examination (*see under* Conditions of Service, I.C.S.).

R.

Rajputs, educational ability equal to Hindus, *Paranjpe* 35,945

Recruitment, I.C.S.:
AGE OF ARRIVAL IN INDIA:
20–21, advocated, and reasons, *Slocock* 36,308–9, 36,482–7, 36,387–8
21, advocated, *Moss-King*, 33,881; *Stanyon*, 34,193.
24, maximum, advocated, *Nelson* - - 34,593
24 or 25, advocated, *Khan*, 35,200; *Dick*, 36,906; *Kolhatkar*, 37,818.
25, advocated, *Shukla*, 35,077; *Dixit*, 36,150; *Sahasrabuddhy*, 36,645; *Malak*, 36,779, 36,821.
25 or 26, advocated, *Mudholkar* - - - 37,199
26, advocated, *Paranjpe* - - - - 35,896
Question of barring marriage, *Slocock* - 36,308

ANNUAL INDENT:
Accurate results obtained if system for regulation of, strictly adhered to, *Hullah* - - 33,525
Regulated according to certain percentage of sanctioned strength of the Commission, and no change advocated, *Nelson* - - - 34,651

CLASS REPRESENTATION:
Appointment of members from depressed classes would not be resented, *Sahasrabuddhy* 36,745–6
Desirable, and particulars, *Slocock*, 36,533–4; *Sahasrabuddhy*, 36,712–7, 36,744; *Malak*, 36,775, 36,813; *Kolhatkar*, 37,811.
not Desirable, *Nelson*, 34,585; *Shukla*, 35,072; *Mudholkar*, 37,191, 37,193, 37,267; *Kelkar*, 37,666, 37,681.
Distinct from representation of races and definition, *Dick* - - - - - - 37,029–31
Existence of distinct classes serious obstacle, and reasons, *Moss-King* - - - - - 33,877
Government policy to obtain, as far as possible, and greater efficiency obtained by, *Slocock* 36,469–70
Men if efficient would not be excluded on account of caste or class, *Moss-King* - - - 34,139
not Practicable, *Khan*, 35,197; *Kolhatkar*, 37,811.
Preponderance of one class not approved of by Indians, *Moss-King* - - - - 33,877
Proclamations and declarations admitting of, deliberately set aside and particulars, *Mudholkar* 37,376–83
Competitive system, the best, *Mudholkar* 37,388–9
Conditions suitable irrespective of age-limit, *Khan* 35,231

Recruitment, I.C.S.—*continued.*
Differentiation between Europeans and other classes of natural-born subjects not desirable except with regard to age-limit, *Stanyon* - - - 34,182
Effect of decrease in popularity of service upon, *Slocock* - - - - - - - - 36,561–2

IN ENGLAND:
of Indians for listed posts, better than recruitment from P.C.S., but would take some time, and temporary scheme, *Khan* - - 35,476–82
Preferable to recruitment in India for Indians owing to education in Western ideas and contact with Europeans, *Sahasrabuddhy* 36,637, 36,704–6
Equality of two races advocated, *Mudholkar* 37,244, 37,325, 37,330
Heads of colleges should interest themselves more in sending their best men up for examination, and scheme, *Nelson* - - 34,581, 34,800

IN INDIA:
Allocation of officers between provinces, no difficulty, *Stanyon* - - - - - 34,322
Anglo-Indians and Eurasians should be eligible for appointment in England, *Stanyon* 34,455–68
by Combination of nomination and examination:
Advocated, and particulars, *Walayatullah*, 35,035–6; *Sahasrabuddhy*, 36,639, 36,674–81, 36,685–7, 36,712, 36,744.
not Advocated, *Khan*, 35,197; *Paranjpe*, 35,890; *Mudholkar*, 37,193; *Kelkar*, 37,665; *Kolhatkar*, 37,811, 37,829, 37,876–7.
Indians:
should still be Eligible for appointment in England, *Nelson*, 34,842, 34,916–8; *Walayatullah*, 34,926; *Shukla*, 35,073; *Paranjpe*, 35,891; *Dixit*, 36,147; *Sahasrabuddhy*, 36,640; *Mudholkar*, 37,194; *Kolhatkar*, 37,812.
should not be Eligible for appointment in England, *Slocock* - - 36,306, 36,366–9
Question of limitation, *Robertson* - p. 300–1
Selection, supplementary to the present system of promotion to listed posts from P.C.S., advocated, *Sahasrabuddhy*, 36,641; *Kolhatkar*, 37,813.
by Special arrangements:
not Approved, but alteration of system at present not advocated, *Moss-King* - - 33,885
not Desirable if open competition fair to Indians, *Malak* - - - - - - - 36,783
Satisfactory, but proportions never realised, and particulars, *Dixit* - - 36,155, 36,270–5
Indian Civil Service Examination (*see that title*).

INDIANS:
most Brilliant class of men, difficulty of attracting, *Mudholkar* - - - 37,388–91
Experience in P.C.S. not necessary, *Moss-King* 34,112
in Higher posts (*see under* Indians).
History from 1858, *Mudholkar* - - - 37,189
Increase in percentage would do much to satisfy aspirations, *Khan* - - - - - -
in India (*see that title above*).
Maximum limit advocated, and scheme, *Moss-King*, 33,987, 34,106; *Kelkar*, 37,690–1.
by any Means of examination apart from nomination, not approved, *Moss-King* 33,874, 33,876
Measures to prevent, would be most unpopular, *Slocock* - - - - - - 36,383–5
More posts should be thrown open to, as compensation for reduction of recruitment in British branch, and particulars, *Slocock* 36,305, 36,306, 36,364, 36,529–32, 36,539, 36,563–7
by Nomination:
Advocated, *Moss-King*, 34,113; *Kolhatkar*, 37,813.
not Advocated, *Khan*, 35,197; *Paranjpe*, 35,890; *Kelkar*, 37,665; *Kolhatkar*, 37,811, 37,829, 37,876–7.
Permanent appointments to posts under I.C.S. Act, 1861, *Nelson* - - - - - 34,612
Physical risks of study in England, and moral and intellectual risks should also be considered, *Malak* - - - - - - - 36,860–4
Posts open to, one sixth advocated in 1879, and far too small now, *Mudholkar* 37,191, 37,449–50

Recruitment, I.C.S.—*continued.*
INDIANS—*continued.*
Present system:
Approved, and particulars, *Nelson*, 34,600; *Paranjpe*, 35,901.
not Approved, *Walayatullah*, 34,925; *Shukla*, 35,082; *Kolhatkar*, 37,823.
Restriction in number:
50 per cent. Advocated, *Mudkolkar* 37,191, 37,203, 37,254, 37,331, 37,506
One third only by open competition with simultaneous examination suggested as concession to English, and scheme, *Mudholkar* 37,191–2, 37,203–4, 37,254–6, 37,308–25, 37,330, 37,338, 37,370–1, 37,402
Selection and examination, scheme, *Stanyon* 34,538–42
same Standard advocated, *Mudholkar* 37,403–5
Unlimited, beyond bounds of practical politics, *Robertson* - - - - - - p. 300
Intellectual and moral fitness only, should be considered in, *Shukla* - - - - - - 35,072
Junior officers, restriction to number likely to be promoted to superior posts under time-scale system, scheme, *Nelson* - - - - 34,644
National examination, objection to - 35,374–83
NOMINATION:
Advocated as preliminary to open competition, and particulars *re*, *Moss-King*, 33,870, 33,897, 34,092–101, 34,113, 35,873; *Stanyon*, 34,184, 34,474–92.
not Advocated, *Nelson*, 34,775–6, 34,726, 34,881; *Malak*, 36,775; *Dick*, 36,902; *Mudholkar*, 37,187, 37,191, 37,193, 37,208, 37,282, 37,288–94, 37,369, 37,385–7; *Kelkar*, 37,661, 37,665, 37,712–6.
by Board not objected to, and scheme, *Moss-King*, 33,873, 33,901–4, 34,098–101; *Kelkar*, 37,717–8.
Scheme, *Sahasrabuddhy* - - 36,639, 36,675–6
most Suitable for superior posts, and particulars, *Slocock* - - - - - - 36,305, 36,362–3
by Universities, not advocated, and difficulties, *Khan* - - - 35,379, 35,463–4, 35,466–7
OVER-RECRUITMENT:
Cause of block in promotion - - - p. 335
Evils resulting from present state of, *Moss-King*, 33,889; *Dick*, 36,895, 36,940–2, 36,989–90.
Probation by employment, value of, *Mudholkar* 37,384–7
for Provinces other than their own, advocated, *Mudholkar* - - - 37,222, 37,596–603
FROM PROVINCIAL CIVIL SERVICE:
Better method of obtaining Indian talent than through open competition in England, *Slocock* 36,305, 36,465–7
Difficulties *re* selection and appointment, *Slocock* 36,525–7, 36,545, 36,549–51
sense of Inferiority exaggerated, *Slocock* 36,471–2, 36,476, 36,535–6
Men so recruited ought not to begin in lowest posts, and reasons, *Slocock* - 36,525–8, 36,535–7
by Selection, to superior posts, advocated, *Khan* 35,197
RECRUITS:
Good men, *Dixit* - - - 36,160, 36,292–3
Older under present system, but same class and equally good men, and particulars, *Dick* 36,895
Suitable, but room for improvement, and particulars, *Moss-King*, 33,880; *Stanyon*, 34,192 34,255; *Nelson*, 34,592.
RESTRICTION TO RESIDENTS:
Admission of non-residents no disadvantage, *Mudholkar* - - - - - 37,268–9
Advocated, *Mudholkar* - - - - 37,267
Scheme, *Kolhatkar* - - - - - 37,805
Scheme if simultaneous examinations not adopted, and effect on P.C.S., *Kolhatkar* 37,810–1, 37,864, 37,866–75, 37,896–903, 37,909–23
Scheme *re* Statutory Civil Services and listed posts, question of stamping inferiority, &c., *Mudholkar* 37,483–509

Recruitment, I.C.S.—*continued.*
OF SELECTED OFFICERS FROM OTHER INDIAN SERVICES:
not Advocated, *Hullah* - - - - 33,502
Appointment to posts ordinarily reserved to I.C.S. not objected to, but some difficulties, *Slocock* 36,313
(*see also* Military officers.)
Selection by merit, chances good for Indians of ability, *Dick* - - - - - 36,895, 36,943
Selection for superior posts, orders of Government of India *re*, followed, in *Central Provinces and Berar*, *Nelson* - - - - - - - *34,652*
Separate examinations *(see that title)*.
Service at present recruited on strength of judicial post it does not get, although it has first claim to vacancy, *Hullah* - - - - - *33,722*
Simultaneous examinations *(see that title)*.
System defective and promotion impeded by, *Khan* 35,234
System does not violate Queen's Proclamation or Act of 1833, *Nelson* - - - - - 34,582
Time-scale of pay would not affect, *Slocock* - 36,340
of Undesirables, small, and opinion *re* exclusion, *Moss-King* - - - - - 34,098–104
University career not absolutely necessary, *Slocock* 36,480
Universities, not as good training grounds as public school, and reasons, *Moss-King* - 33,870, 34,067
Vested interests, opinion *re*, and sudden listing of posts would be violation of, *Nelson* - 34,614, 34,833–41, 34,892–7
(see also under Executive Branch, I.C.S., *and* Judicial Branch, I.C.S.)
Recruitment, P.C.S.:
from Ablest men at Universities, no particular steps taken *re*, *Hullah* - - - - - 33,700
Alterations suggested, *Dick* - - - - 36,931
Appointments created by local administration, enlargement and liberal exercise of power, advocated, *Paranjpe* - - - - - 35,942
Bar, comparison of P.C.S. with, *Thakur* - 35,595, 35,737–40.
CLASS REPRESENTATION:
Advocated, *Hullah*, 33,570; *Shukla*, 35,102; *Malak*, 36,794, 36,845–6; *Kolhatkar*, 37,850.
not Advocated, *Mudholkar*, 37,230; *Stanyon*, 34,233.
Anglo-Indians over-represented if basis of population considered, *Hullah* - - - - 33,759
no Attempt made to prefer any particular community, *Hullah* - - - - - 33,755
Brahmans and Muhammadans predominating, further educational facilities for poorer sections would improve matters, *Khan* - - 35,252
all Castes might come in with open competition, *Moss-King* - - - - - - - 34,026
Efficiency of service of more importance than, *Thakur*, 35,597, 35,741; *Paranjpe*, 35,945.
Ensured, for classes availing themselves of facilities, for higher education, under present system *Khan* - - - - - - - - 35,250
Fair representation, *Shukla*, 35,102; *Thakur*, 35,862; *Sahasrabuddhy*, 36,665; *Dick*, 36,934; *Kelkar*, 37,681; *Kolhatkar*, 37,850.
Influential minorities should be encouraged, *Dixit* - - - - - - 36,174, 36,215
Proportion in judicial branch, *Kelkar* - 37,681
no Ratio between strength in service and outside, kept in view, *Hullah* - - - - 33,756
Statement appended, *Hullah* - - - 33,570
Competition, unknown and unnecessary, *Thakur* 35,595, 35,741–8
Conditions, alteration suggested, *Mudholkar* 37,228, 37,230
Conditions generally suitable, *Hullah*, 33,563; *Stanyon*, 34,228; *Walayatullah*, 34,929; *Khan*, 35,250; *Thakur*, 35,590; *Paranjpe*, 35,940.
Different systems, particulars *re* and history, *Paranjpe* - - - - - - - - 35,942
DIRECT:
by Board, nomination of candidates by, would be satisfactory, *Thakur* - - - - 35,639
to Higher grades, recommended, *Dixit* 36,276, 36,279–80

Recruitment, P.C.S.—*continued.*
DIRECT—*continued.*
Nomination by Divisional Commissioners recommended as best scheme, and particulars, *Thakur* 35,595, 35,638, 35,741 8
Satisfactory, and particulars, *Thakur* - 35,595
33 per cent. vacancies in P.C.S. should be filled by, suggestion, and candidates should be law graduates, *Thakur* - 35,595, 35,636, 35,794
Educational competition with reserved percentage in executive for candidates with hereditary claims approved, and particulars, *Paranjpe* 35,943, 35,997 6,004, 36,058 9
not sufficiently Efficient men recruited, *Stanyon* 34,252
Europeans, who are not statutory "Natives of India," should not be eligible for appointment *Shukla*, 35,099; *Kolhatkar*, 37,847 8.
no Fixed annual rate, *Hullah*, 33,577; *Walayatullah*, 34,939.
Government of India Resolution, satisfactory with one exception, and particulars *re*, *Shukla* 35,099, 35,138–43
Indian graduates, increase probable in future, and competition for modicum of appointments advocated *Khan*, 35,250
Interval between taking University course and, not considered hardship to poorer University student, *Hullah* - - - - - 33,697–8
from Ministerial service, diminution and final abolition, and particulars *re*, *Thakur* 35,767–74, 35,797–8

NOMINATION:
Approved, *Stanyon*, 34,231; *Shukla*, 35,100; *Thakur*, 35,746–8; *Dixit*, 36,174.
Disadvantages of system, *Dixit* - - 36,172
Present system, particulars *re*, *Hullah* 33,660–4
System suitable, *Slocock* 36,305, 36,362–3, 36,465
Touting for, *Shukla* - - - - - 35,138 42
by Nomination and selection, advocated, and scheme for selection by Board, *Hullah* 33,568, 33,620–1, 33,633–4
Number of recruits from other services, and from among non-officials, 1893–1912, *Hullah* - 33,566

BY OPEN COMPETITION:
Advocated, *Nelson*, 34,799; *Kelkar*, 37,790.
in India:
Attempts to establish unsuccessful, and particulars, and unsuitable for Indians, *Slocock* 36,305, 36,414 7
Objected to, and reasons, *Nelson*, 34,698–702; *Paranjpe*, 36,094–5.
Supplemented by nomination advocated, and particulars *re* tests, *Shukla* 35,099, 35,100; 35,143 4, 35,156–64
Other than "Natives of India" in P.C.S. and statutory civilians, number, *Hullah*, 33,567; *Thakur*, 35,594.
Particulars and system not approved, *Dixit*, 36,204, 36,279; *Slocock*, 36,305.
no Principle favoured by which older men preferred, *Hullah* - - - - - - - - - 33,649
Restriction of selection to graduates and men of high family not necessary if scheme for Statutory Civilians carried out, *Shukla* - - - 35,156

RESTRICTION TO RESIDENTS IN PROVINCE:
Advocated as a rule, *Hullah*, 33,569; *Shukla*, 35,101; *Khan*, 35,251; *Thakur*, 35,596, 35,824–5, 35,854–8; *Dixit*, 36,173; *Sahasrabuddhy*, 36,664, 36,707–8, 36,718–20, 36,734–5; *Dick*, 36,933; *Mudholkar*, 37,229; *Kolhatkar*, 37,849.
not Advocated if number insufficient, or education defective, *Malak* - - 36,794, 36,847–9
not Advocated, and only reasonable proportion of posts should be reserved for, and reasons, *Stanyon* - - - 34,232, 34,318–22
Non-residents should be admitted if necessary to efficiency of service, but claims of residents should come first, *Paranjpe* - 35,944, 36,092–3
Non-residents of province rare now, but more formerly, *Hullah*, 33,569; *Thakur*, 35,596.
Principle sound, but recruitment from other provinces if full number not attained, advocated; and particulars, *Malak* 36,793–4, 36,843–4, 36,847–9

Recruitment, P.C.S.—*continued.*
RESTRICTIONS TO RESIDENTS IN PROVINCE—*continued.*
Three years' residence, rule should be relaxed, and particulars, *Paranjpe* - - - - 35,941
Usual, but some exceptions, and particulars *re*, *Walayatullah* - - - - 34,934

RULES:
Copy, *Hullah* - - - - - - - 33,564
Educational qualifications:
Europeans and Eurasians have an unfair advantage under, and should conform to same standard as the rest, *Thakur* - 35,759 66, 35,818, 35,829
Exception in case of classes other than "Indians of noble family" not advocated, *Thakur* 35,864
Examination of B.A. and B.Sc., and in certain cases of LL.B. or B.L. should be passed by candidates, and reasons, *Kolhatkar* - 37,848
Power of Government to make direct appointments under, seldom realised, *Dixit* - - - 36,279
Satisfactory, *Dixit*, 36,171; *Sahasrabuddhy* 36,663.
Suitable on the whole, and amendments suggested *re* law qualifications, *Thakur* - - 35,591, 35,759 65, 35,829–30
Scheme for alteration, *Kolhatkar* - - 37,848

SELECTION:
for Appointment to higher grades, strict enforcement of system advocated, *Thakur* - 35,603, 35,604, 35,673–6
not Advocated, *Paranjpe* - - - - 35,892
and Nomination approved to certain extent, and particulars, *Paranjpe* - 35,943, 35,997–6004 66 per cent. from tahsildars, advocated, *Thakur* 35,595, 35,637, 35,794, 35,812–4
Statement showing number of officers from 1893–1912, *Thakur* - - - - - - - 35,593
System, direct appointment of non-officials, and selection of officers from other services, especially Subordinate Civil Service, *Hullah* - - 33,566
System, and particulars *re*, *Kelkar* 37,787–9, 37,791
(*see also under* Executive Branch, P.C.S., *and* Judicial Branch, P.C.S.)

Registrar of Co-operative Credit Societies (*see* Co-operative Credit Societies, Registrar of).

Registrars:
Deputy, interchange of duties with certain officers advocated, *Paranjpe* - - - - - 35,946
Judicial Commissioners' court, post transferred to P.C.S., *Thakur* - - - - 35,593, 35,606
Rates of pay, and number of posts, *Hullah* - 33,529
Reservation of post to P.C.S. advocated, *Paranjpe* 35,908

Registration, Inspector-General of, creation of post referred to, and listing would give satisfaction, *Thakur* - - - - - - 35,606, 35,808–9

Reservation of Posts for I.C.S. (*see* Statutory Regulations).

Retirement, I.C.S.:
COMPULSORY:
After 25 years' service:
and at Option of Government advocated, and scheme, *Moss-King* - 33,894, 33,966–8, 34,012–4
Rule would enable much closer approximation of annual decremental rate of strength of service, *Nelson* - - - - - 34,648
on Minor pension before end of 25 years' service, by Secretary of State, might be beneficial to Government in special cases, *Moss-King* 3,969–733

COMPULSORY, FOR INEFFICIENCY:
Advocated - - - - - - p. 303, 309
on Pension or gratuity within first few years of arrival in India, scheme, *Khan* 35,194, 35,433
Might tend to make the service unpopular, *Moss-King* - - - - - - - 34,104–5
Proposals of Government of India approved, *Hullah* - - - - - - - 33,526
Recommendation of Decentralization Commission approved, *Khan* - - - - - 35,234
Reduced pensions (*see under* Pensions, I.C.S.).

Retirement, I.C.S.—*continued.*
Extensions of service considerable, and not advocated and reasons, *Walayatullah* 34,939, 34,999–5000
on Full pension after 25 years' service, with possibility of extension, and scheme, *Nelson* 34,679, 34,812–6
Optional, after 25 years' service, and with a pension, scheme approved, *Stanyon* - - - 34,571
Voluntary and compulsory rules, scheme, and compulsory retirement after 55 advocated, *Walayatullah* 34,966, 35,001–3
Voluntary, rules satisfactory with regard to, *Khan* 35,248

Retirement, P.C.S.:
COMPULSORY:
Extensions beyond 55 objected to, *Thakur* 35,624
Objected to, and suggestions *re*, *Walayatullah* 34,941
Rules fairly satisfactory, but should be more strictly enforced, *Thakur* - - - 35,627
Compulsory on account of inefficiency proposed, and same pension allowed as if officers were compelled to retire on account of ill-health, *Hullah* - 33,579
Extensions of service disapproved, *Paranjpe* 35,966
transfer of Inefficient officers to different branch recommended as an alternative, *Paranjpe* 35,951
Rules, satisfactory, *Hullah*, 33,596; *Stanyon*, 34,251; *Thakur*, 35,627.

Revenue Inspectors, tahsildarships, and extra assistant commissionerships gained by, and inefficiency in most cases, *Thakur* - - - - - 35,643

Revenue and Land Records systems, full knowledge of working of, necessary, and only obtainable by going into camp, *Khan* - - - - - - 35,558–9

Revenue officer, no criminal powers actually needed in performance of work, *Kelkar* - - - - 37,762

Revenue system, different from that in Bengal, and contact with people frequent and a stimulus to learning vernacular, *Khan* - - - - 35,323

Revenue and Tenancy Law, knowledge of both sides of, gained by legal practitioners, *Dick* - - 36,903

Revenue work, rules for training probationers pp. 283–4

Robertson, the Hon. Sir Benjamin, K.C.S.I., C.I.E., note by, page 300-4.

S.

Sahasrabuddhy, Pandit Govind Rao, evidence of 36,635–36,767

Salary (*see* Pay).

Sanskrit (*see* Oriental Languages *and under* Syllabus *under* Indian Civil Service Examination).

Scholarships:
would be Accepted if no simultaneous examination granted, and number adequate, and details, *Mudholkar* - - - - - - 37,259–61
Advantage of, not great, *Mudholkar* - 37,529–31
Advocated, *Walayatullah*, 34,928, 34,972–3; *Paranjpe*, 35,197, 35,263–75, 35,302, 35,311, 35,358–9, 35,369–70, 35,500, 35,882, 36,041; *Dixit*, 36,259–60; *Sahasrabuddhy*, 36,680–4; *Dick*, 36,896–7, 36,945–9, 36,952–6, 37,038–9, 37,096–7, 37,138, 37,151.
Competitive examination instituted by universities not objected to, *Dick* - - 37,038–9, 37,096
Failures, suggestions for future careers, *Dick* 37,098–101
for Graduates, advocated, and scheme likely to be fairly successful, *Khan* - - 35,197, 35,226, 35,263–75
Grant of, on liberal scale would encourage higher education among poorer communities and assist in due representation of classes, *Khan* - - 35,252
Grant in 1867, and withdrawal, particulars, *Mudholkar* 37,189, 37,257–8
Increase of successful candidates for Indian Civil Service anticipated if scheme adopted, *Khan* 35,272
Increase advocated, *Moss-King* - 34,000–4, 34,108
with Nomination, not advocated, *Robertson* - p. 301

Scholarships—*continued.*
OFFERED BY PRIVATE ASSOCIATIONS OR PERSONS:
Development expected, *Khan* - - 35,500–1
Successful in nearly all cases, and arrangements *re* payment and period of training in England, *Khan* 35,197, 35,305–9, 35,310
Scheme for working up number to appointment of one third to superior posts should last for next 50 years, and particulars, *Khan* - - 35,495–504
Scheme impossible if age-limit for competitive examination reduced, *Khan* - - 35,311–3
Selection from universities, according to merit, should be made by Board of Selection from university and confirmed by local government, *Khan* - - - - - - - 35,267–71
Simultaneous examination preferred to, even if success is not immediate, *Mudholkar* - 37,525–8
System would not answer, and reasons, *Stanyon* 34,352–7
Values, suggestion, *Khan* - - 35,273–5

Secretariat:
Copies of lists of candidates for direct recruitment nominated by Divisional Commissioners should be kept in, and particulars, *Thakur* - - 35,595
Proficiency in one language should be necessary to appointment in, *Khan* - - - - 35,225

Secretaries:
ASSISTANT:
Members of P.C.S. appointed to act as, *Thakur* 35,606
Reservation of one permanent post as, to P.C.S., advocated, *Paranjpe* - - - - 35,908
Rates of pay, and number of posts, *Hullah* 33,529
CHIEF, local allowance payable to, *Hullah* - 33,734
to Chief Commissioner, rates of pay, and number of posts, *Hullah* - - - - - - 33,529
SECOND, local allowances payable to, *Hullah* - 33,734
THIRD:
to Chief Commissioner, listed posts should include post of, *Kolhatkar* - - - - - 37,829
Local allowances payable to, *Hullah* - - 33,734
UNDER:
Local allowances payable to, *Hullah* - - 33,734
Reservation of one permanent post as, to P.C.S., advocated, *Paranjpe* - - - - 35,908

Secretary of State's Council (*see under* India Office).

Senior officers, staff should be increased, and reasons, *Stanyon* - - - - - - - 34,295–6

Separate Examinations:
not Advocated, reasons and objections, *Stanyon*, 34,187; *Nelson*, 34,584; *Walayatullah*, 34,924, 34,970–1; *Shukla*, 35,071, 35,119–20; *Khan*, 35,374; *Paranjpe*, 35,889; *Dixit*, 36,146, 36,253–8; 36,260; *Slocock*, 36,305–8, 36,421–5, 36,538, 36,852–8; *Sahasrabuddhy*, 36,638, 36,673–4; *Maluk*, 36,674; *Dick*, 36,901, 37,005–6; *Mudholkar*, 37,192, 37,339–40, 37,494, 37,500–2, 37,505; *Kolhatkar*, 37,810; *Kelkar*, 37,664, 37,692.
Nomination of candidates by Indian Universities, advocated, *Khan* - 35,386, 35,458–67, 35,465
less Objection if standard and prospects same as for competition in England, *Mudholkar* - - 37,508
of Same character as the examination in England, and with subsequent training in England, Indian entering by, would still be considered inferior to officer entering by open competition, *Walayatullah* 34,971
Scheme for, if simultaneous examinations cannot be instituted, *Shukla* - - - 35,071, 35,120
for Whole of India, not advocated, *Slocock* - 36,305

Sessions Judges (*see* Judges, District and Sessions, *and* Judges, Divisional and Sessions).

Settlement Department, Assistant officers, removal of posts from P.C.S. and inclusion in Provincial Service of Department concerned, advocated, *Thakur* 35,600, 35,800

Settlement Officers:
Commissioners (*see* Commissioners of Settlement and Agriculture).
Included in superior posts, but drawing pay of inferior posts, and should be treated as such, *Moss-King*, 33,888; *Nelson*, 34,641.

Settlement Officers—*continued.*
Length of service, *Nelson* - - - - 34,804
Listing of four posts, advocated, *Kelkar* - 37,673
Local allowances payable to, *Hullah* - - 33,734
Pay, scheme, *Nelson* - - - - - 34,641
Posts should be made superior, and be held by Deputy Commissioners, and scheme *re* pay, *Hullah* - - - - - - 33,515, 33,633–7

Settlements, Commissioner of (*see* Commissioners of Settlement and Agriculture).

Shukla, Rai Bahadur Pandit Bishun Dutta, B.A., evidence of - - - - - - - 35,065–913

Sikhs. increase of education among, *Mudholkar* 37,191

Simultaneous Examinations:
Advocated, and suggestions, *Shukla*, 35,066, 35,070; *Paranjpe*, 35,882, 36,041, 36,061–4, 36,067; *Dixit*, 36,142, 36,180–3, 36,244; *Malak*, 36,769, 36,773, 36,799, 36,811–2, 36,854–8; *Mudholkar*, 37,189, 37,191, 37,242–5, 37,317, 37,337–8, 37,384–7, 37,409–10, 37,503, 37,519–21; *Kelkar*, 37,659–60, 37,662–3, 37,688–9, 37,696–700; *Kolhatkar*, 37,806, 37,808–9, 37,842, 37,863–1.
not Advocated, and reasons, *Moss-King*, 33,874–5, 33,911–14, 34,022, 34,125; *Stanyon*, 34,185, 34,543–6; *Nelson*, 34,582–3, 34,777; *Walayatullah*, 34,923, 34,969; *Khan*, 35,196; *Slocock*, 36,304; *Sahasrabuddhy*, 36,637, 36,673; *Dick*, 36,900, 37,111–7, p. 301.
AGE-LIMIT:
Differentiation not insisted on, *Malak* - 36,827
Higher for Indians than Europeans suggested under present conditions, and reasons, *Malak* 36,769, 36,778, 36,803–9, 36,811
Reduction in Indian Civil Service Examination ought not to affect, and particulars and disadvantages, *Mudholkar* - - - 37,414–8
Caste would be altogether excluded from consideration, *Moss-King* - - - - - 33,874
Continuance or not of listed posts (*see under* Listed posts).
COLONIES:
Examination should not be held in, *Kelhar* 37,663
Need not be considered, *Mudholkar* - - 37,191
Cost, calculations and remarks *re*, *Nelson*, 34,582; *Khan*, 35,196, 35,442; *Mudholkar*, 37,522–4.
Cramming establishments would be started - 34,582
would Create privileged Indian Service with higher privileges than P.C.S., *Nelson* - - - 34,582
Differentiation for Indians unnecessary, *Paranjpe* 36,067
Difficulties *re* pressure on Universities for similar courses to I.C.S. examination in case of, could easily be surmounted, *Mudholkar* - 37,579–81
EDUCATION:
of Candidates for, suggestions, *Malak* 36,876–99
would be Damaged, *Nelson* - - - 34,583
would be Encouraged by, *Mudholkar* - 37,422–5
European element likely to be seriously reduced, *Khan* 35,196
Increase of non-British element disapproved by general public of India and will result in cessation of competition in British Isles, *Moss-King* 33,874, 33,989, 34,021
INDIAN CANDIDATES:
would Cause far too great increase of Indians, *Stanyon* - - - - - - 34,185, 34,543
Discontent among men failing in, and number of failures would be large, *Nelson*, 34,582; *Khan*, 35,196, 35,449, 35,456.
Dissatisfaction of Indian candidates not successful would be unreasonable, *Mudholkar* - 37,248–50
Men from lower strata of Indian society would enter service, *Khan* - - - - 35,196
no Preponderance anticipated, *Mudholkar*, 37,191, 37,246–7, 37,556–60; *Kelkar*, 37,662, 37,695.
Service will be swamped by "Natives of India," and these will not represent all classes, *Walayatullah* - - - - - - 34,923
Introduction of, time suggested, *Malak* - - 36,818
Moral character of candidates, inquiry into, by universities, suggestions, *Mudholkar* - 37,556–60
More virile classes would be excluded by, and monopoly of posts by one or two classes cause dissatisfaction, *Nelson* - - - - 34,582
Simultaneous Examinations—*continued.*
Muhammadans, opinions of, *re*, *Kahn* - 35,436–42
Necessity to go to England for examination not considered a bar for candidates outside British Isles, *Nelson* - - - - - - 34,582
Nomination in India for, not recommended, *Dixit* 36,184–5
Preferred to scholarships under any circumstances and particulars, *Mudholkar* - - 37,525–8
Prestige of I.C.S. would be impaired, and administration would lose its efficiency, *Nelson* - 34,582
Previous two years' training at British University, advocated, *Mudholkar* 37,191, 37,405, 37,420–2
Selection of candidates, some form of necessary, *Mudholkar* - - - - - 37,546–72
Separate for judicial and executive branches, advocated, and particulars *re* syllabus, law should be compulsory for judicial branch, *Mudholkar* 37,196, 37,272–3, 37,582–95
Separate Statutory Civil Service wished for, even in case of introduction of, *Mudholkar* - 37,326–31
SYLLABUS:
More marks for Indians in foreign languages, or compulsory vernaculars for English, suggested and particulars, *Malak* 36,769, 36,804–9, 36,811
Indian Civil Service Examination, syllabus suitable for, *Mudholkar*, 37,346; *Khan*, 35,454.
Prolonged contact with Western ideas necessary for an Indian if syllabus to be identical with that in I.C.S. examination, *Khan*, 35,454.
Same in India and England essential, *Malak* 36,894
Training of Indians under present conditions unsatisfactory, *Moss-King* - 33,874, 34,132
Undesirable until public school system in India developed on English lines and particulars, *Dick* 36,900

Slocock, Francis Samuel Alfred, I.C.S., evidence of 36,303–36,634

Small Cause Court (*see* Courts, Small Cause):

Stanyon, Henry John, C.I.E., evidence of 34,179–575

Statutory Civilians:
Comparison with I.C.S., *Mudholkar* 37,191, 37,205, 37,841–5
only One, *Hullah* - - - - - - 33,548
Particulars *re* appointments, &c., *Mudholkar* 37,189, 37,399–401
Pensions, system satisfactory, *Khan* - - 35,249
RATE OF PAY:
Equal to members of I.C.S. recommended, *Paranjpe* 35,938
Three-quarters of I.C.S. pay advocated, *Khan*, 35,240; *Mudholkar*, 37,205, 37,344.
RECRUITMENT:
to Higher posts, suggestions, *Mudholkar* 37,205, 37,237, 37,452–65, 37,619–39
to Inferior posts, suggestions, *Mudholkar* 37,205, 37,327
REVIVAL:
Advocated, *Stanyon*, 34,341–5; *Dick*, 36,913, 37,010–3; *Mudholkar*, 37,205, 37,326–31, 37,483–99, 37,619–39.
not Advocated, *Nelson*, 34,602; *Walayatullah*, 34,928; *Khan*, 35,206; *Paranjpe*, 35,903; *Dixit*, 36,156; *Slocock*, 36,312; *Malak*, 36,784; *Kelkar*, 37,670; *Kolhatkar*, 37,824.
not Advocated, unless scheme for simultaneous examination not adopted, *Shukla* - 35,083, 35,145–55, 35,156–64
Difficulties of stamp of inferiority, *Mudholkar* 37,484–99, 37,504, 37,509, 37,635–6, 37,648–52
would be Popular with higher class, but opinion of public not known, *Dick* - - - 37,010–3
Separate cadre would more or less take the place of, and details, *Dick* 36,962, 36,965, 36,996–7, 37,003, 37,040–8, 37,141, 37,144–53
System bad, and examples, *Mudholkar* - 37,385, 37,399–401
Treatment as P.C.S men for purposes of listed posts prejudicial to senior members of P.C.S., *Thakur* 35,606

Statutory Natives, exclusion from class of "Natives of India" advocated, *Dixit* - - - - 36,149

Statutory Regulations (Reservation of posts for I.C.S.):
Approved, *Moss-King* - - - - - 33,883
Approved, and amendment of Act of 1861 to include non-Regulation Provinces suggested, *Nelson*, 34,598; *Khan*, 35,204.
Approved, and extension to other services and to posts in India Office desirable, *Slocock* - 36,310, 36,507–13
Approved and minimum suggested, *Malak*, 36,782, 36,800–2; *Mudholkar*, 37,202, 37,254.
not Approved, *Kolhatkar* - - - - 37,821
Heads of Departments should be members of I.C.S., *Dick* - - - - - - - - 36,910
Indispensable, and proportion of posts should be regulated according to circumstances of each province, *Stanyon* - - - - - 34,197
Retention, under certain conditions advocated, *Mudholkar* - - - 36,202, 37,326–31, 37,341–5

Sub-divisional magistrates (*see under* Magistrates).

Sub-divisional Officers:
not in Contact with other Europeans for months in some cases, *Khan* - - - - - 35,571
post of Treasury officer held by, and remarks *re*, *Thakur* - - - - - - - 35,788–93

Sub-divisions, number of, and pay, *Walayatullah* 34,943, 35,054–7

Subordinate Judges (*see* Judges, Subordinate).

Subordinate Magistrates (*see under* Magistrates).

Subordinate Services:
Officers recruited from need less training, and reasons, *Hullah* - - - - - 33,571
Posts on Rs. 250 and Rs. 200 included in cadre of munsifs, *Hullah* - - - - - 33,583
RECRUITMENT:
Distinction in principle from higher services advocated, *Dixit* - - - - 36,234–5
System suitable, *Slocock* - - 36,305, 36,363–2
Undermanned to great extent, *Stanyon* - - 34,315
(*see also* Executive *and* Judicial.)

Superintendents of post offices (*see under* Post Office).

Superintendents of Telegraphs, Assistant, treated as first-class officer *re* travelling and daily allowances, *Thakur* - - - - - - - - 35,630

Superior Posts (*see under* Conditions of Service, I.C.S.).

Supplementary examination, scheme, particulars *re*, and would be accepted under certain conditions, *Mudholkar* - - 37,403–5, 37,506–7, 37,508

T.

Tahsildars:
Complaints against, made in regular way and not anonymously as a rule, *Thakur* - 35,859–61
no Important cases tried by, *Sahasrabuddhy* 36,765
INCLUSION IN P.C.S.:
Advocated, *Paranjpe* - - 36,075–7, 36,082–3
not Advocated, and particulars *re*, *Walayatullah*, 35,626; *Kolhatkar*, 37,906–8.
no Legal training, *Khan* - - - - 35,525
should be Mentioned with title of "Mr." prefixed to their names in official documents, *Kolhatkar* 37,860
Munsif and police inspector and, considered equal, *Walayatullah* - - - - - - 35,028
Naib, recruitment, method, *Hullah* - 33,788–94
Number, *Thakur*, 35,722; *Kolhatkar*, 37,852.
PAY:
Compared with that of extra assistant commissioner, *Shukla* - - - - - 35,129
Inadequate, and particulars *re*, *Walayatullah* 34,947; *Kolhatkar*, 37,852, 37,855, 37,882.
Qualifications, &c., *Thakur* - - - 35,813–4

Tahsildars—*continued.*
RECRUITMENT:
Method, *Hullah* - - - - - 33,787–95
by Promotion from subordinate service gives a chance to men proved efficient as, and fit for duties of extra assistant commissioner, *Walayatullah* - - - - - - - 34,933
for P.C.S., from, most satisfactory method, and selection of certain percentage advocated, and particulars, *Thakur* 35,595, 35,795–6, 35,812–4
Training sufficient to judge cases brought before, *Khan* - - - - - - - - 35,522–3
Work, *Thakur* - - - - - - - 35,693–6

Telegraphs, Assistant Superintendents, treated as first-class officers for travelling and daily allowances, *Thakur* - - - - - - - - - 35,630

Thakur, Raghunath Sadasheo, evidence of 35,570–35,881

Time-scales (*see under* Pay).

Training, I.C.S.:
Differentiation for Indians, objected to, *Paranjpe* 35,932
Differentiation as between persons of mixed and unmixed descent, not advocated, *Sahasrabuddhy*, 36,662; *Mudholkar*, 37,223; *Kolhatkar*, 37,843.
IN ENGLAND:
Essential, and particulars *re*, *Walayatullah* 34,922–3, 35,037–43
for Indians, advised and scheme, *Moss-King*, 33,906–10, 33,920–2, 34,055–65, 34,136–8; *Nelson*, 34,780–2; *Kelkar*, 37,768.
Minimum period of residence in England, advocated, *Slocock* - - - - - 36,303, 36,305
High-born Indians should spend much longer period and at different centres, in case of nomination by Secretary of State, *Paranjpe* - - - 35,934
IN INDIA:
Better than in England, *Slocock* - 36,308, 36,321
Colleges, opinion and particulars *re*, *Walayatullah* 35,043–7
Founding of institution near some city of importance for instruction in Oriental languages and law, &c., recommended, *Paranjpe* - - 35,921
Question of, *Moss-King* - - - 34,057–9
JUNIOR OFFICERS:
Actual conditions in accordance with arrangements, *Khan* - - - - - - 35,233
For first two years of service, percentage approximate to actual conditions, *Nelson* - - 34,646
Period, no change advocated, *Hullah* - - 33,520
Legal (*see under* Law).
Period, present suitable if age-limit reduced, but otherwise five years suggested, *Slocock* 36,308, 36,329, 36,389–91
last Quinquennial examination of strength of service did not extend to, and injustice, *Nelson* - 34,650
Settlement course, substitution of police training for, not suitable, *Slocock* - - - - - 36,456
System, satisfactory, *Walayatullah* - - 34,935
AFTER TAKING UP APPOINTMENTS IN INDIA:
under Approved district officer, advocated, *Robertson* - - - - - - - p. 303
Arrangement generally satisfactory, and particulars, *Khan* - - - 35,224, 35,318–23
Course of instruction by provincial governments:
not Advocated, *Dick* - - - - 36,921
Desirable, *Dixit* - - - - - 36,165
Departmental examination:
Abolition, advocated, and scheme if maintained, *Kelkar* - - - - - 37,677, 37,723–7
Fairly suitable, but certain changes recommended, *Nelson* - - - - - - 34,630
LL.B. would exempt junior civilians from passing, *Dick* - - - - - 36,923
Officer should be kept in same language area for first years of service, *Khan* - - - 35,225
Officers given cases to try, and undertake great responsibilities before passing, *Stanyon* 34,294, 34,364–5
should be Passed during probation, *Stanyon* 34,220
Retention advocated with more stringent rules and tests - - - - - - - p. 303

Training, I.C.S.—*continued.*
AFTER TAKING UP APPOINTMENTS IN INDIA—*continued.*
Departmental Examination—*continued.*
Standard not high enough, and particulars, *Sahasrabuddhy* 36,657, 36,692–3, 36,710–1
two Standards for languages, suggestion respecting marks, *Khan* - - - - 35,225
Study of civil procedure code and civil law necessary for, and practice universal, *Khan* 35,289–91
System satisfactory, *Walayatullah*, 34,935; *Paranjpe*, 35,926.
System suitable, but language test should be more severe, and suggestions *re*, *Khan* 35,225
Deterioration of character in some cases, especially when recruits not in contact with other Europeans, *Khan* - - - - 35,194, 35,570–2
Differentiation for Indians:
not Advocated, *Nelson*, 34,635; *Khan*, 35,229; *Dixit*, 36,167; *Sahasrabuddhy*, 36,660; *Kolhatkar*, 37,841.
not Advocated except in languages, *Stanyon* 34,227
Unnecessary, if Indians not appointed to their own provinces, *Mudholkar* - 37,222, 37,596
Proper official and judicial training from lowest grade suggested, *Paranjpe* - - - 35,925
Satisfactory on the whole, *Nelson*, 34,629–30; *Shukla*, 35,095, 35,176; *Slocock*, 36,324.
System, present, defective, *Malak* - - 36,790
Three years under selected Deputy Commissioner, advocated, *Dick* - - - - - 36,917
(*see also under* Executive Branch, I.C.S., *and* Judicial Branch, I.C.S.)

Training, P.C.S.:
not Conducive to success in holding listed posts, and particulars, *Khan* - - - 35,394, 35,474–5
DEPARTMENTAL EXAMINATION:
no Alterations recommended for, *Paranjpe* 35,947
if Law graduates from Allahabad University appointed to P.C.S., necessity for passing in certain subjects obviated, *Thakur* - 35,598
of Little use, and should be passed before candidate is appointed, *Stanyon* - - - 34,235
System suitable, *Hullah*, 33,572; *Thakur*, 35,599.
only good Test of character and suitability of recruits, and impossible to eliminate objectionable candidates by any system of nomination and selection, *Khan* - - - - - - 35,428–34
Scheme, *Stanyon* - - - - - - - 34,234
SYSTEM:
Description, *Thakur* - - - - - 35,598
Satisfactory, *Hullah*, 33,571; *Shukla*, 35,103; *Sahasrabuddhy*, 36,666; *Kolhatkar*, 37,851
Suitable, but increase of salary to extra assistant commissioner on probation suggested, and abolition of grade in Central Provinces advocated, *Khan* - - - - 35,253, 35,402–3
Unsatisfactory, and reasons, *Stanyon* - 34,234
at University, advocated, and particulars *re*, *Nelson*, 34,706–9, 34,752–7; *Kolhatkar*, 37,816.
(*see also under* Executive Branch, P.C.S., *and* Judicial Branch, P.C.S.)

Transfers, I.C.S.:
Effect of leave rules on (*see under* Leave).
Travelling allowances (*see under* Pay).

Transfers, P.C.S.:
Excessive, due not only to leave rules, but also to insufficiency of staff, and improvement during last few years, *Walayatullah* - - - - 34,960
Expense and bother of, make officers unwilling to take leave, *Paranjpe* - - - 35,963, 35,965
Expenses incurred by, and scheme for improvement, *Thakur* - - 35,619, 35,630, 35,682, 35,749
Payment of expenses, advocated - - - p. 310

Travelling, Increasing facilities likely to overcome aversion to, among members of P.C.S., *Khan* 35,255, 35,410–1

Travelling Allowance (*see under* Pay).

U.

Uncovenanted Officers, length of service, pensions and family pension fund, suggestions *re*, *Nelson* - 34,684

Universities:
Authorities, complaints from, *re* unpopularity of service not known of, *Moss-King* - - 34,010
none in Central Provinces, *Moss-King* - - 34,057
IN INDIA:
Curriculum in English Universities would be adopted by, if simultaneous examination introduced, to give same course of study in England and India, *Mudholkar* - 37,579–81
Encouragement would be given if simultaneous examination introduced, and new institutions founded, *Mudholkar* - - - 37,422–5
Particulars *re* English training in, &c., *Mudholkar* 37,349–55
Institution of competitive examinations for scholarships not objected to, *Dick* - 37,038–9, 37,096
Petition sent to, *re* candidates failing in Entrance Examination, no sympathy with, and details, *Mudholkar* - - - 37,374–5, 37,515–8
Transference of control of Vernacular examination to, not undesirable if practicable, *Slocock* - 36,461

V.

Vakils:
Cases of refusals of posts as Extra Assistant Commissioners owing to better prospects as, *Thakur* - - - - - 35,595, 35,737–40
Recruitment to judicial branch, advocated, *Stanyon* - - - - - - - 34,374

Vernaculars, knowledge of, by members of I.C.S.:
not Adequate and scheme for training in, *Nelson* 34,631
Best learnt by work among the people, *Khan* 35,320–2
Central Provinces, working knowledge possessed by almost every Civilian, *Khan* - 35,323, 35,329
Degree of Honour standard, amendment to rules *re*, disapproved, and maximum periods for, recommended, *Khan* - - - - - - 35,227
DETERIORATION:
some Attempts made to remedy, and greater encouragement to study should be given, *Dixit* 36,166
Causes, *Shukla*, 35,096; *Khan*, 35,226, 35,422–4; *Paranjpe*, 35,927; *Sahasrabuddhy*, 36,657, 36,693–6, 36,736–42; *Dick*, 36,922; *Mudholkar*, 37,218, 37,407–8; *Kolhatkar*, 37,837.
None, *Nelson* - - - - - - - 34,631
none Particularly, but room for improvement, and suggestion, *Slocock* - - - - 36,324
Some, but no special arrangement necessary to increase knowledge, *Malak* - - - 36,791
EXAMINATIONS:
Particulars *re* conducting of, and transference to Universities not objected to if practicable, *Slocock* - - - - - - - 36,458–61
should be Stiffer, *Slocock* 36,324–5, 36,457; *Mudholkar*, 37,218.
Greater knowledge necessary, and scheme, *Mudholkar* 37,417–8
INSTRUCTION IN INDIA:
soon Learnt by contact with people during training after taking up appointment, *Khan* 35,320–1, 35,329
not Possible, *Khan* - - - - - 35,222
Mastery acquired by some members of Provincial Civil Service and particulars, *Slocock* 36,497–501
of Officers in management of sub-division, or on settlement duty, not deteriorated, *Le Mesurier* 37,984
One at least should be learnt by European candidates for I.C.S., *Dixit* - - - - - 36,162
as Part of training given during two years' probation in India, advocated, *Stanyon* - - - 34,222
Proficiency in Bombay and Madras and two Bengals, according to report of Decentralization Commission, and reasons, *Khan* - - - - 35,226

Vernaculars, knowledge of, by members of I.C.S.—*continued.*
Recommendations of Decentralization Commission approved, *Khan* - - - - - - - 35,225
Rules for encouragement of study of tribal languages p. 290

RULES FOR ENCOURAGEMENT OF STUDY:
Central school for probationers suggested, but individual effort better, *Paranjpe* - - 35,928
Locality of service should be considered, *Khan* 35,227
Satisfactory and particulars *re*, *Stanyon* - 34,221
Special stress should be laid on ability of civilians to speak, in making appointments, *Khan* 35,225

Vernaculars, knowledge of, by members of I.C.S.—*continued.*
RULES FOR ENCOURAGEMENT OF STUDY—*continued.*
many Suggested remedies, *Shukla* - - 35,096, 35,185–90
in Syllabus of Indian Civil Service Examination (*see under* Syllabus *under* Indian Civil Service Examination).

Viceroy's Council (*see under* Councils).

W.

Walayatullah, Khan Bahadur Hafiz Muhammad, evidence of - - - - - 34,922–35,061

ROYAL COMMISSION ON THE PUBLIC SERVICES IN INDIA.

APPENDIX

TO THE

REPORT

OF

THE COMMISSIONERS.

Volume VIII.

MINUTES OF EVIDENCE

RELATING TO THE

INDIAN AND PROVINCIAL CIVIL SERVICES

Taken at Patna from the 24th to the 28th March 1913,

WITH

APPENDICES.

Presented to both Houses of Parliament by Command of His Majesty.

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CONTENTS.

	PAGE
LIST OF WITNESSES FROM BIHAR AND ORISSA EXAMINED BEFORE THE ROYAL COMMISSION	iii
NOTE	iv
LISTS OF QUESTIONS CIRCULATED TO WITNESSES FOR WRITTEN REPLIES	v—xxxviii
MINUTES OF EVIDENCE (*Thirty-seventh to Forty-first Days*)	1–281
APPENDICES	282–298
INDEX	299–321

O (5)23188 2750 9/14

LIST OF WITNESSES FROM BIHAR AND ORISSA EXAMINED BEFORE THE ROYAL COMMISSION.
(Thirty-seventh to forty-first days.)

THIRTY-SEVENTH DAY, 24TH MARCH 1913.

	PAGES.
HAVILLAND LEMESURIER, Esq., C.S.I., C.I.E., I.C.S. (Representing the Local Government)	1—49
GEORGE RAINY, Esq., I.C.S., Magistrate and Collector, Champaran	49—72
MOULVI ALI AHMAD, B.L., Officiating Additional District and Sessions Judge, Monghyr	72—86

THIRTY-EIGHTH DAY, 25TH MARCH 1913.

THE REVEREND ANDREW CAMPBELL, D.D.	87—96
MADHU SUDAN DAS, Esq., C.I.E., M.A., B.L.	96—105
DOUGLAS HOLLINSHEAD KINGSFORD, Esq., I.C.S., Judicial Commissioner, Chota Nagpur	105—124
TOWNLEY RICHARD FILGATE, Esq., C.I.E., General Secretary, Bihar Planters' Association, Ltd.	124—130

THIRTY-NINTH DAY, 26TH MARCH 1913.

CHARLES E. A. W. OLDHAM, Esq., I.C.S., Commissioner, Patna Division	131—163
KRISHNA SAHAY, Esq., Vakil	164—170
PANDIT RAMA BALLABH MISRA, M.A., District Officer, Puri	170—183
MAZHARUL HAQUE, Esq., Barrister-at-Law	183—196

FORTIETH DAY, 27TH MARCH 1913.

LOUIS JAMES KERSHAW, Esq., C.I.E., I.C.S., Financial and Municipal Secretary	196—217
SACHCHIDANANDA SINHA, Esq., Barrister-at-Law	217—233
J. V. JAMESON, Esq., Representative, Bihar Planters' Association	234—239
KHAN BAHADUR SAIYID FAKHRUD-DIN	240—250

FORTY-FIRST DAY, 28TH MARCH 1913.

SYED HASAN IMAM, Esq., Judge, High Court of Judicature, Calcutta	250—262
BASANTA KUMAR MULLICK, Esq., I.C.S., Superintendent and Remembrancer of Legal Affairs	262—281

NOTE.

The numbering of the Questions is consecutive throughout. The sub-numbers in brackets correspond with the numbers in the printed sets of Questions marked **A** and **B**, which were issued to official and non-official witnesses respectively, and which will be found on pages v—xxxviii of this volume.

A.

QUESTIONS RELATING TO THE INDIAN CIVIL SERVICE.

METHODS OF RECRUITMENT.

(a) *General.*

1. What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?

2. In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?

3. Is the system equally suitable for the admission of "Natives of India"* and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?

*The term "Natives of India" has been defined in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including any persons born and domiciled within the Dominions of His Majesty in India of parents habitually resident in India and not established there for temporary purposes only; and the term has been so used throughout these questions.

4. Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?

5. Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is, or is not, to the advantage of Indian interests? Please give your reasons.

6. If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles—(*a*) selection by headmasters of schools approved or otherwise, (*b*) selection by authorities in Universities approved or otherwise, (*c*) nomination by head-masters or University authorities and selection under the orders of the Secretary of State, (*d*) combined nomination and examination, (*e*) any other method?

7. What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?

8. Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?

9. What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?

10. If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend? In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?

11. If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?

12. Would you regard any system of selection in India which you may recommend for young men who are "Natives of India" as being in lieu of, or as supplementary to, the present system of promoting to listed posts—officers of the Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?

13. Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system that you would propose.

14. Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter.

(b) *Age-limits.*

15. If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?*

*The principal changes in the age-limits have been as follows:—

Years.	Age-limits at open competition.	Period of probation in England.	Age of selected candidates at end of year of arrival in India.
1855—1857	18—23 years	No probation in England	18¾—23¾
1860—1865	18—23 years	One year's probation	19¾—23¾
1866—1878	17—21 years on 1st March	Two years' probation	19¾—23¾
1878—1891	17—19 years on 1st January	Two or three years' probation ...	20—23
1892—1895	21—23 years on 1st April	One year's probation	22¾—24¾
1896—1905	21—23 years on 1st January	Ditto	23—25
Since 1906	22—24 years on 1st August	Ditto	23¾—25¾

A.—Indian Civil Service.]

METHODS OF RECRUITMENT—*contd.*

(*b*) *Age-limits*—concld.

16. What is your experience of the relative merits of the candidates selected under varying age-limits, particularly under the systems in force from 1878 to 1891 (age-limits 17—19 years, followed by two or three years' probation at an approved University) and since 1891 (age-limits 21—23 or 22—24 years, followed by one year's probation) ?

17. What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service ?

18. What is the most suitable age at which junior civilians should arrive in India ?

19. What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons ? Do you recommend any differentiation between the age-limits for "Natives of India" and for other natural-born subjects of His Majesty ?

(*c*) *Subjects of Examination.*

20. On what principle should the subjects for the open competitive examination be fixed ? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period ?

21. Please examine the table in Appendix I to these questions, which shows the various phases of the authorized syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (*a*) of school-leaving age, and (*b*) of University-leaving age ?

22. Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates ? If so, please state them and give reasons.

(*d*) *Statutory Regulations.*

23. Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons ? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54), and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.]

24. Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration ? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted ?

25. Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54) ? Do you recommend any alterations in this system, and, if so, what ?

26. Give a list of the "Natives of India" now serving in your province who were recruited to the Indian Civil Service by means of open competition in England, stating in what year they were admitted, in which posts they are now serving, and their present rate of salary.

27. Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner ? Has it been found possible and expedient to employ them in all branches of the administration, whether on executive or judicial duties ?

28. Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend ?

(*e*) *Mixed Commissions.*

29. What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your province ? Please distinguish in your reply between (*a*) military officers, and (*b*) others; and give details of the latter.

30. Have such officers proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility ? Has it been possible and expedient to employ them in all branches of the Administration, whether on executive or judicial duties ?

31. If the system of recruiting military officers in India has been stopped, or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent should it be adopted ?

32. Do you consider that such a system should be restricted to the recruitment of military officers or extended to the recruitment of selected officers from other Indian services ?

(*f*) *Listed Posts, etc.*

33. Please now refer to the rules, dated 26th August 1910, made in exercise of the powers conferred by section 6 of the Government of India Act, 1870 (33 Vict., c. 3) and reproduced as Appendix IV, and to the statement in Appendix V to these questions, showing the number of offices,

METHODS OF RECRUITMENT—*concld.*

(*f*) *Listed Posts, etc.*—concld.

places and appointments, commonly known as listed posts, ordinarily held by members of the Indian Civil Service, to fill which it has been declared that members of the Provincial Civil Service can properly be appointed; and say whether the figures given are correct for your province.

34. Are all the posts thus listed ordinarily and regularly filled by "Natives of India"? If not, please state for the last five years to what extent there has been any failure to work up to the authorized list, and explain the reasons.

35. To what extent also during the last five years have these listed posts been filled—(*a*) by members of the Provincial Civil Service; (*b*) by other "Natives of India"? Please give the names and positions of the latter, if any.

36. Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilized and in what directions?

37. Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(*a*) to the members of the Provincial Civil Service; and (*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?

38. Is the class of posts listed suitable? If not, in what directions would you suggest any changes; and why?

39. Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the Administration?

40. Please now turn to the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54), which will be found in Appendix II to these questions and say how many "Natives of India" have been appointed permanently to posts in your province under its provisions during the last five years, giving names and the nature of the posts so filled.

41. Are there any other ways in which "Natives of India" are appointed to your province to Civil Service posts? If so, please give details of the same.

42. Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions.

SYSTEMS OF TRAINING AND PROBATION.

(*a*) *Probation.*

43. What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instructions in England? Do you recommend the continuance or abolition of this system?

44. What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?

45. Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?

46. If so, do you advise the selection of one or more Universities for this purpose and for what reasons?

47. Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend.

48. If you do not advise attendance at an approved University during the period of probation in England, what alternative course of study do you recommend?

49. Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?

50. If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?

51. Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you.

52. In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of—(*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts.

53. Do you consider that the probationer's course of instruction can best be spent in England or in India?

54. What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?

A.—Indian Civil Service.]

SYSTEMS OF TRAINING AND PROBATION —*concld.*

(*a*) *Probation*—concld.

55. What is your opinion of a proposal that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?

56. In the report of the Treasury Committee appointed to consider the organization of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European students' point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?

57. If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation you recommend for such officers.

58. In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in India?

59. Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?

(*b*) *Training.*

60. Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?

61. Is the existing system of departmental examinations suitable, and, if not, what change do you recommend?

62. Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?

63. Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and, if so, what changes?

64. Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch. In particular, do you favour a system of granting study leave to Europe, and, if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?

65. Do you recommend any special course of study in law in India for officers selected for the Judicial Branch?

66. Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial Branch? If so, please give details.

67. Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?

68. Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals.

69. If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of training you recommend for such officers.

70. Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals.

71. Please add such remarks as you may desire to offer on any points relating to the system of probation and training for the Indian Civil Service which are not covered by your answers to the foregoing questions.

CONDITIONS OF SERVICE.

72. The present theory underlying the conditions of service in the Indian Civil Service is—(*a*) that the members of the Service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?

73. It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior" posts, and should be drawing pay at rates above

CONDITIONS OF SERVICE—*concld.*

that of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?

74. Please show in a tabular statement for the last five years, quarter by quarter, with foot-notes giving the names, the total net number of officers who have failed to obtain promotion in accordance with the principles set out in the preceding questions, and say whether any inconvenience, and if so, what, has been caused thereby to the Administration?

75. Please now see the statement marked AA and the list marked—

Madras = *A*,
Bombay = *B*,
Bengal = *C*,
United Provinces = *D*,
Punjab = *E*,
Burma = *F*,
Bihar and Orissa = *G*,
Central Provinces and Berar = *H*,
Assam = *I*,

which have been reproduced in Appendix VII to these questions, and say whether they are correct for your province. If not, please state what amendments are necessary.

76. Is any difficulty experienced by the Administration in working with the number of superior posts shown in the list for your province? Do all the posts entered as superior carry a salary of more than Rs. 1,000 *per mensem*, and are they all such as are ordinarily held by officers in the Indian Civil Service? If not, what changes, if any, do you suggest?

77. Does the number of superior posts shown as held directly under the Government of India correspond with the actual experience of the last five years? If not, please give particulars of the discrepancies, and say whether you consider any change of practice in this respect to be desirable. [Attention is invited in this connexion to List J in Appendix VII to these questions.]

78. Does the number of superior posts allowed for temporary appointments and deputations correspond with the actual experience of (say) the last five years? If not, please give particulars of the discrepancies and say whether you consider any change of practice in this respect to be desirable?

79. Does the arrangement by which officers, recruited against temporary superior posts, are shown in the lowest grade, work satisfactorily? If not, what change of practice appears to you to be necessary?

80. Does the allowance of 39 per cent. on the number of superior posts give the right number of junior officers for the work of the administration of your province? If not, please state what excess or deficiency in your opinion exists, giving your reasons in detail.

81. Junior officers are considered to be under training during the first two years of their service. Does this approximate to the actual conditions? If not, what alteration is necessary in the percentage of 15·5 allowed for training?

82. Does the leave allowance of 32·7 per cent. for superior posts, 6·7 per cent. for inferior posts, and ·6 per cent. for training posts, approximate to the actual conditions? If not, please state what alteration is desirable?

83. Does the annual decremental rate of 4·17 per cent. on the total strength of the service correspond with the actual experience of the last 20 years? If not, please give the actual facts for this period and suggest a suitable figure, with reasons in support of the same.

84. Does the theoretical strength of the Service correspond ordinarily with its actual strength? If not, please state the facts and, in particular, offer any remarks which may suggest themselves with regard to the existing discrepancy shown in the statement marked BB which is included in Appendix VII to these questions?

85. Do you consider that the present system of a quinquennial examination of the conditions of service is adequate to regulate the rate of recruitment and flow of promotion? If not, what alterations do you recommend?

86. State the principles on which the annual indent for recruitment to the Indian Civil Service is regulated. Do you consider that accurate results are attained thereby? If not, what alterations do you recommend?

87. Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?

88. To what extent are the functions of the officers of the Executive and Judicial Branches of the Indian Civil Service differentiated? Is any change desirable, and, if so, in what directions?

89. Have you any other suggestions to make under this head which are not covered by your answers to the above questions and to the questions under the heads relating to salary, leave and pension.

CONDITIONS OF SALARY.

90. Please see the two statements contained in Appendix VIII to these questions showing the various rates of pay drawn by officers holding posts in the Indian Civil Service cadre and the grading of each class of post for the different provinces, and say whether they are correct for your province.

91. Please give full information regarding the rates of pay and the number of posts in each of the main grades of the service authorized on the 1st April of each of the following years: 1860, 1870, 1880, 1890, 1900 and 1912.

92. Are the present rates of pay and grading suitable? If not, what alteration do you recommend?

93. If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts or to both?

94. Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your province, and, if so, what?

A.—Indian Civil Service.]

CONDITIONS OF SALARY—*concld.*

95. Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?

96. If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the Service who now draw no exchange compensation allowance?

97. How does the system of acting allowances work in the case of officers selected to officiate in appointments involving increased responsibility? Is it productive of any inconvenience and have you any suggestion to make on the subject?

98. How is the system of officiating grade promotions, where there is no change of duties, actually worked? Is the system convenient in the interests both of the Government and of the officers of the Service? Have you any recommendations to make for its alteration?

99. What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service or not?

100. As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?

101. What is your experience of the practical working of time-scales of pay in other Indian services?

102. If you recommend any system of time-scale of pay, please describe it, and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances, and other matters of importance. How do you propose to apply such time-scale in provinces where the scale of pay of the Judicial and Executive Branches of the Service is different?

103. If you are in favour of a time-scale of pay, how would you secure that the recruitment of junior officers is restricted to the number likely to be promoted in a reasonable time to posts of independent responsibility, and do you or do you not consider it desirable that all members of the Indian Civil Service should have the prospect of rising to such posts within a fixed time?

104. Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?

105. Have you any other proposals to make in regard to the conditions of salary not covered by your answers to the above questions?

CONDITIONS OF LEAVE.

106. Is there any reason to suppose that officers of the Indian Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?

107. Is all the leave on full pay due to them ordinarily taken by officers of the Indian Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?

108. Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?

109 Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?

110. Do you recommend any change in the concession, granted in 1893, under which leave allowances expressed in rupees, other than privilege leave allowances, issued at the Home Treasury, or in a Colony with a gold standard of currency, are issued in sterling at the privilege rate of exchange of 1*s.* 6*d.* the rupee? If so, what change?

111. Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative rates fixed in sterling and in rupees, and if so what change?

112. Have you any recommendation to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?

113. Generally speaking, do any of the present leave rules applicable to the Indian Civil Service cause inconvenience to the Administration, and if so what, and what remedy do you suggest?

114. In particular, are they a contributory cause of excessive transfers of officers of the Indian Civil Service, and, if so, how can this difficulty be met?

115. Do any of the present leave rules press hardly in any way on officers of the Indian Civil Service themselves, and, if so, in what respects? What is, in your opinion, the appropriate remedy?

116. Do the present leave rules applicable to Statutory Civilians, or to officers of the Provincial Civil Services employed in listed posts, cause any inconvenience to the Administration, or press hardly on the officers themselves, and in what respects? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?

117. Have you any other proposals to make in regard to the conditions of leave not covered by your answers to the above questions?

CONDITIONS OF PENSION.

118. Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?

119. Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?

CONDITIONS OF PENSION—*concld.*

120. Assuming the maintenance of the annuity system, do you suggest any modifications in its detailed working, and, if so, what, and for what reasons?

121. In particular, what is your opinion of the arrangement by which members of the Indian Civil Service, who are appointed Judges of High Courts, obtain special pensions of £1,200 a year after 11½ years' actual service as Judges? Do you recommend any change in the present condition?

122. Do you consider that a similar system should be applied to the cases of high executive officers, and, if so, to which? Please state the amount of pension and the conditions which you recommend as suitable.

123. Assuming the substitution of a non-contributory system of superannuation pensions varying in amount with the amount of salary drawn at the time of retirement, please describe the system that you recommend.

124. Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?

125. Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?

126. Do you approve of the present system regulating the pensions of military officers holding Indian Civil Service posts? If not, what do you suggest?

127. Do you approve of the present system regulating the pensions of statutory civilians? If not, what do you suggest?

128. Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed posts? If not, what do you suggest?

129. Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?

130. In particular, do you approve of the exclusion from their benefits of "Natives of India," who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?

131. Do you recommend that such admission should be optional or compulsory?

132. If you do not approve their admission to the Indian Civil Service Family Pension Fund, do you recommend the formation of a separate Family Pension Fund?

133. Is the existing system under which provision is made for the families of deceased military officers holding Indian Civil Service posts satisfactory? If not, what would you suggest?

134. Have you any criticisms to make on the facilities at present offered—(*a*) to Statutory Civilians, (*b*) to members of the Provincial Civil Services holding listed posts, for providing for their families against their decease?

135. Have you any other proposals to make in regard to the conditions of pension not covered by your answers to the above questions?

GENERAL.

136. Are you satisfied with the existing organization of the Indian Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you suitable.

137. Have you any other proposals to make in regard to the Indian Civil Service not covered by your answers to the above questions? If so, please explain them.

QUESTIONS RELATING TO THE PROVINCIAL CIVIL SERVICE.

[Note.—In replies to these questions, it should be clearly specified whether the reply refers to the whole Provincial Civil Service, or to the Executive Branch or to the Judicial Branch.]

METHODS OF RECRUITMENT.

1. Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?

2. Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your province. Are these rules suitable, or have you any recommendations to make for their alteration?

3. Please see the statement showing the constitution of the Provincial Civil Service, reproduced as Appendix B to these questions, and state whether the information is correct for your province. If not, what alterations are required?

4. Please state the different systems of recruitment that have been adopted for the Provincial Civil Service, the periods for which they were in force, and the number of officers recruited year by year in your province under each system since its formation.

5. Please state the number of natural-born subjects of His Majesty other than "Natives of India" recruited in your province in each year.

6. What is your experience of the officers selected by the different methods of recruitment which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition,

A.—Provincial Civil Service.]

METHODS OF RECRUITMENT—*concld.*

(*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend.

7. To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?

8. Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?

SYSTEMS OF TRAINING AND PROBATION.

9. What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recommend?

10. Is the existing system of departmental examinations suitable, and, if not, what changes do you recommend?

CONDITIONS OF SERVICE.

11. Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?

12. What is the system on which the strength of the $\frac{\text{Executive}}{\text{Judicial}}$ Branch of your Provincial Civil Service is fixed? Do you consider it satisfactory, and, if not, what alterations do you recommend?

13. In particular, is the leave reserve adequate, and the system on which it is graded suitable?

14. Is there any reserve for officers under training, and is it adequate?

15. What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion?

16. To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?

17. Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestion to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?

18. To what extent are the functions of the officers of the Executive and Judicial Branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?

19. Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to those posts suitable? If not, what alterations do you suggest?

20. Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?

21. Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?

CONDITIONS OF SALARY.

22. Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recmomend?

23. Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Civil Service authorized on the 1st April of each of the following years:—1890, 1900 and 1912. When was the last general reorganization effected, and what improvement of prospects was effected thereby?

24. Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?

25. Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?

26. What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?

27. As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?

28. What is your experience of the practical working of time-scales of pay in other Indian services?

29. If you recommend any kind of time-scale of pay, please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance. How do you propose to apply such time-scales in provinces where the scale of pay of the Executive and Judicial Branches of the service is different?

30. Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?

CONDITIONS OF LEAVE.

31. Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?

CONDITIONS OF LEAVE—*concld.*

32. Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?

33. Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?

34. Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?

35. Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?

36. Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?

37. Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the Administration? and if so what, and what remedy do you suggest?

38. In particular, are they a contributory cause of excessive transfers of officers, and, if so, how can this difficulty be met?

39. Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respect? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?

CONDITIONS OF PENSION.

40. Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?

41. Have you any suggestions to make in favour of any modifications in its detailed working, and if so, what, and for what reasons?

42. Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient, but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?

43. Do you approve of the present system regulating pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?

44. Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?

45. To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund or to other official or officially-recognized funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?

GENERAL.

46. Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable.

47. Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them.

A.—Indian Civil Service.]

APPENDIX I.

Period of Age-limits, 17—21, *i.e.*, down to 1877.		Period of Age-limits, 17—19. *i.e.*, 1878—1891.	
Subjects.	Marks.	Subjects.	Marks.
1. English Composition	500	1. English Composition	300
2. History of England, including that of the Laws and Constitution	500	2. History of England, including a period selected by the candidate.	300
3. English Language and Literature ...	500	3. English Literature, including books selected by the candidate.	300
4. Language, Literature, and History of Greece.	750	4. Greek	600
5. Language, Literature and History of Rome.	750	5. Latin	800
6. Language, Literature, and History of France.	375	6. French	500
7. Language, Literature, and History of Germany.	375	7. German	500
8. Language, Literature, and History of Italy.	375	8. Italian	400
9. Mathematics (pure and mixed) ...	1,250	9. Mathematics (pure and mixed) ...	1,000
10. Natural Science—that is (1) Chemistry, including Heat; (2) Electricity and Magnetism; (3) Geology and Mineralogy; (4) Zoology, (5) Botany. The total (1,000) marks may be obtained by adequate proficiency in any two or more of the five branches of Science included under this head.	1,000	10. Natural Science—that is, the Elements of any two of the following Sciences, viz., Chemistry, 500; Electricity and Magnetism, 300; Experimental Laws of Heat and Light, 300; Mechanical Philosophy, with outlines of Astronomy, 300.	800 or 600
11. Moral Science—that is, Logic, Mental and Moral Philosophy.	500	11. Logic	300
12. Sanskrit Language and Literature ...	500	12. Elements of Political Economy ...	300
13. Arabic Language and Literature ...	500	13. Sanskrit	500
		14. Arabic	500

Period of Age-limits, 21—23, *i.e.*, 1892—1905.		Period of Age-limits, 22—24, *i.e.*, 1906 to date.	
1. English Composition	500	1. English Composition	500
2. English History	500	2. English History, either or both sections may be taken— Section I., to A.D. 1485 ... Section II., A.D. 1485 to 1848 ...	400 400
3. English Law, viz., Law of Contract—Criminal Law—Law of Evidence and Law of the Constitution.	500	3. English Law	500
4. English Language and Literature (including special period named by the Commissioners.)	500	4. English Language and Literature ... Greek, not less than two sub-divisions, of which one must be Translation—	600
		5. Translation	400
		6. Prose Composition	200
		7. Verse Composition	200
		8. Literature, etc.	300
5. Greek Language and Literature ...	750	9. Greek History (Ancient, including Constitution).	500
		Latin not less than two sub-divisions, of which one must be Translation:—	
6. Greek History (Ancient, including Constitution).	400	10. Translation	400
		11. Prose Composition	200
7. Latin Language and Literature ...	750	12. Verse Composition	200
		13. Literature, etc.	300
8. Roman History (Ancient, including Constitution).	400	14. Roman History (Ancient, including Constitution).	500
9. Roman Law	500	15. Roman Law	500
10. French Language and Literature ...	500	16. French, History of the Language and Literature.	200
		17. French, Translation, Composition and Conversation.	400
11. German Language and Literature ...	500	18. German, History of the Language and Literature.	200
		19. German, Translation, Composition and Conversation.	400
12. General Modern History (period to be selected by Candidates from list in the syllabus issued by the Commissioners, one period at least to include Indian History).	500	20. Italian, History of the Language and Literature.	200
		21. Italian, Translation, Composition and Conversation.	400
		22. General Modern History	500
13. Mathematics (pure and applied) ...	900	23. Lower Mathematics	1,200
14. Advanced Mathematical subjects (pure and applied).	900	24. Higher Mathematics	1,200

APPENDIX I.—*concld.*

Period of Age-limits, 21—23, *i.e.*, 1892—1905.		Period of Age-limits, 22—24, *i.e.*, 1906 to date.	
Subjects.	Marks.	Subjects.	Marks.
15. Natural Science, *i.e.*, any number not exceeding three of the following subjects:— Elementary Chemistry and Elementary Physics ... 600 (*N.B.*—This subject may not be taken up by those who offer either Higher Chemistry or Higher Physics) — Higher Chemistry ... 600; Higher Physics ... 600; Geology ... ... 600; Botany ... ... 600; Zoology ... ... 600; Animal Physiology ... 600	1,800	25. Natural Science, *i.e.*, any number not exceeding four of the following or three if both Lower and Higher Mathematics be also taken:— (1) Chemistry ... ... 600; (2) Physics ... ... 600; (3) Geology ... ... 600; (4) Botany ... ... 600; (5) Zoology ... ... 600; (6) Animal Physiology ... 600; (7) Geography 600	2,400 or 1,800
16. Logic and Mental Philosophy (Ancient and Modern).	400	26. Logic and Physiology	600
17. Moral Philosophy (Ancient and Modern)	400	27. Moral and Metaphysical Philosophy ...	600
18. Political Economy and Economic History	500	28. Political Economy and Economic History	600
19. Political Science (including Analytical Jurisprudence, the early History of Institutions and Theory of Legislation).	500	29. Political Science	500
20. Sanskrit Language and Literature ...	500	31. Sanskrit Language and Literature ...	800
21. Arabic Language and Literature ...	500	32. Arabic Language and Literature ...	800
Candidates are at liberty to name any or all of these branches of knowledge. No subjects are obligatory.		Consistently with the limitations specified above Candidates are at liberty to name any of the foregoing subjects, provided that the maximum number of marks that can be obtained from the subjects chosen is limited to 6,000.	

APPENDIX II.

The Indian Civil Service Act, 1861.

(24 & 25 Vict., Cap. 54.)

An Act to confirm certain Appointments in India, and to amend the Law concerning the Civil Service there.

[1st August 1861.

Whereas by section fifty-six of an Act of the thirty-third year of King George the Third, Chapter fifty-two, it was enacted that all the civil servants of the East India Company in India under the rank or degree of Members of Council should have and be entitled to precedence in the service of the said Company at their respective stations according to their seniority of appointment, and that no such civil servant should be capable of being advanced or promoted to any higher station, rank or degree therein than he should be entitled to according to the length of his service; and by section fifty-seven of the same Act it was enacted that all vacancies happening in any of the offices, places, or employments in the civil line of the Company's service in India (being under the degree of Counsellor) should be from time to time filled up and supplied from amongst the civil servants of the said Company belonging to the presidency wherein such vacancies should respectively happen: And whereas by reason of the exigencies of the public service vacancies in certain offices, places and employments in India have been filled up by the appointment of persons not being civil servants, or not being civil servants belonging to the presidency wherein the vacancies have happened, and otherwise not in accordance with the provisions of the said enactments, and it is expedient that such appointments should be rendered valid, and also that the authorities in India should be empowered to make such appointments in like cases in future: 33 G. 3, c. 52.

Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Appointments not in accordance with 33 G. 3, c. 52, valid.

1. *All appointments made by the authorities in* India *to any such Offices, Places or Employments shall be and be deemed to have been as valid and effectual as if the Act hereinbefore recited or referred to had not been passed*—(*Rep. 55 & 56 Vict., c. 19*).

Vacancies in offices to be supplied by covenanted civil servants.

2. All vacancies happening in any of the offices, places, or employments specified in the Schedule annexed to this Act, and all such offices which may be created hereafter, shall be filled up and supplied, except as hereinafter provided, from amongst the covenanted civil servants of the Crown in India.

Persons not covenanted civil servants may, under special circumstances, be appointed to such offices subject to certain restrictions.

3. Where it appears to the authority in India by whom an appointment should be made to any office, place, or employment specified in the said Schedule, that such appointment, under the special circumstances of the case, should be made without regard to the recited qualifications, conditions, and restrictions of the said Act, it shall be lawful for such authority to make such appointment accordingly; provided that no person shall be so appointed who has not resided for at least seven years in India, and that every person previously to his being so appointed to any of the offices in the Revenue and Judicial Departments specified in the said Schedule shall pass an

examination in the vernacular language of the district in which he is to be employed, where such examination is now required, and shall be subject to all the departmental tests and other qualifications and restrictions which are or may be imposed in the like case on covenanted civil servants.

Such appointment in each case to be reported to the Secretary of State.

4. Every such appointment shall be provisional only, and shall forthwith be reported to the Secretary of State in Council of India, together with the special reasons for making the same; and unless the Secretary of State in Council shall approve such appointment, with the concurrence of a majority of Members present at a meeting, and shall within twelve months from the date of such appointment notify such approval to the authority by whom the appointment was made, then such appointment shall be cancelled.

Certain offices may be filled up without regard to restrictions prescribed by recited Act.

5. All vacancies happening in any other offices, places, or employments than those mentioned in the said Schedule, and all other offices than those so mentioned that may hereafter be created in India may be filled up and supplied without regard to the qualifications, conditions, and restrictions prescribed by the said Act.

Act not to apply to office of Lieutenant-Governor, etc.

6. Provided always that this Act shall not apply to the office of Lieutenant-Governor of any part of Her Majesty's dominions in India, or to any offices for the supply of which provision may be made by any other Act of the present session of Parliament.

So much of 33 G. 3. c. 52, as requires seniority, etc., for appointments repealed.

7. Section fifty-six of the said Act of the thirty-third year of King George the Third, and so much of the other sections of the said Act and of any other Act now in force as requires seniority as a condition or qualification for the appointment of civil servants to offices, places, or employments, shall be repealed.

SCHEDULE.

Secretaries, Junior Secretaries, and Under-Secretaries to the several Governments of India, except the Secretaries, Junior Secretaries, and Under-Secretaries in the Military, Marine and Public Works Departments.

Accountant-General.
Civil Auditor. (*a*)
Sub-Treasurer. (*b*)

Judicial.

1. Civil and Sessions Judges, or Chief Judicial Officers of Districts in the Provinces now known as Regulation provinces.
2. Additional and Assistant Judges in the said Provinces.
3. Magistrates or Chief Magisterial Officers of Districts in the said Provinces.
4. Joint-Magistrates in the said Provinces.
5. Assistant Magistrates or Assistant to Magistrates in the said Provinces.

Revenue.

1. Members of the Board of Revenue in the Presidencies of Bengal and Madras.
2. Secretaries to the said Boards of Revenue.
3. Commissioners of Revenue or Chief Revenue Officers of Divisions in the Provinces now known as Regulation Provinces.
4. Collectors of Revenue or Chief Revenue Officers of Districts in the said Provinces.
5. Deputy or Subordinate Collectors where combined with the Office of Joint-Magistrate in the said Provinces.
6. Assistant Collectors or Assistants to Collectors in the said Provinces.
7. Salt Agents.
8. Controller of Salt Chowkies.
9. Commissioners of Customs, Salt and Opium.
10. Opium Agents.

(*a*) Now called Comptroller-General.

(*b*) Now non-existent.

APPENDIX III.

THE GOVERNMENT OF INDIA ACT, 1870.

(33 Vict., Cap. 3.)

An Act to make better provision for making Laws and Regulations for certain parts of India, and for certain other purposes relating thereto.

[25th March 1870.]

* * * * * * * * *

Power to appoint natives of India to certain offices without certificate from the Civil Service Commissioners. 21 & 22 Vict., c. 106. 24 & 25 Vict., c. 54.

6. Whereas it is expedient that additional facilities should be given for the employment of Natives of India, of proved merit and ability, in the civil service of Her Majesty in India:

Be it enacted, that nothing in the Government of India Act, 1858, or in the Indian Civil Service Act, 1861, or in any other Act of Parliament or other law now in force in India, shall restrain the authorities in India by whom appointments are or may be made to offices, places, and employments in the civil service of Her Majesty in India from appointing any Native of India to any such office, place or employment, although such Native shall not have been admitted to the said civil service of India in manner in section thirty-two of the first-mentioned Act provided, but subject to such rules as may be from time to time prescribed by the Governor-General in Council, and sanctioned by the Secretary of State in Council, with the concurrence of a majority of members present;

and that for the purpose of this Act the words "Natives of India" shall include any person born and domiciled within the dominions of Her Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only;

and that it shall be lawful for the Governor-General in Council to define and limit from time to time the qualification of Natives of India thus expressed; provided that every resolution made by him for such purposes shall be subject to the sanction of the Secretary of State in Council, and shall not have force until it has been laid for thirty days before both Houses of Parliament.

APPENDIX IV.

Notification of the Government of India, Home Department (Establishments), No. 1128, dated Simla, the 26th August 1910.

In exercise of the power conferred by section 6 of the Government of India Act, 1870 (33 Victoria, Chapter 3), and in supersession of the rules published in the Home Department Notification No. 2159 (Public), dated the 2nd November 1892, the Governor-General in Council has been pleased to make the following rules, which have been sanctioned by the Secretary of State in Council with the concurrence of a majority of the members present.

1. The local Government may appoint any member of the provincial civil service subordinate to it, who is a Native of India, and of proved merit and ability, to any of the offices, places, and employments ordinarily held by members of the Civil Service of His Majesty in India, to fill which it has been declared by such local Government (by notification in the official Gazette) that members of such Provincial civil service can properly be appointed.

2. The local Government may at any time appoint any Native of India of proved merit and ability to any of the offices, places, and employments specified by such local Government in any such notification as in Rule 1 is mentioned; provided that not more than one-fourth of the offices, places, and employments so specified shall at any one time be held by Natives of India not members of the Provincial civil service subordinate to the local Government; but this proviso shall not apply to or include any Native of India (not a member of a Provincial service) who has, prior to the making of these rules, been appointed under section 6 of the Government of India Act, 1870 (33 Victoria, Chapter 3), to an office, place, or employment in the Civil Service of India.

3. In addition to appointments made under Rules 1 and 2 the local Government may, whenever the exigencies of the public service render it necessary, appoint to any of the offices, places, or employments ordinarily held by members of the Civil Service of His Majesty in India, for a period not exceeding three months, any Native of India of proved merit and ability; provided that the appointment of any such officer shall not involve his transfer from another district.

4. The local Government may declare any appointment to be made on probation only, and may prescribe the terms on which it is made and the conditions with which the person appointed must comply before he can be confirmed.

5. The local Government may at any time suspend and remove any person appointed by such local Government under these rules.

A. EARLE,
Offg. Secy. to the Govt. of India.

APPENDIX V.

Statement showing Posts listed as open to the Provincial Civil Services.

—	Madras.	Bombay.	Bengal.	United Provinces.	Punjab.	Burma.	Bihar and Orissa.	Central Provinces (and Berar).	Total.
Superior Posts.									
Heads of districts ...	2	2	8	2	2	2	5	4	49
District and Divisional Judges.	4	3		5	6	2		2	
Settlement Collectors ...	...	..	...	...	2	1	...	...	3
Sub-Collectors ...	2	...	...	...	...	..	...	...	2
Secretary, Board of Revenue.	...	...	...	...	1	...	...	...	1
Talukdari Settlement Officer	...	1	...	...	..	...	...	...	1
Total ...	8	6	8	7	11	5	5	6	56
Inferior Posts.									
Secretary to Board of Revenue.	1	...	...	1	...	...	...	...	2
Under-Secretary to Government.	1	...	1	...	1	...	1	...	4
Joint Magistrates or Assistant. Commissioners or Assistant Collectors.	5	8	8	7	3	...	...	2	33
Assistant Judges ...	...	3	...	...	...	...	...	...	3
Small Cause Court Judges	...	..	...	2	...	...	..	...	2
Assistant Settlement Officers	...	...	...	2	...		...	...	2
Assistant to Director of Land Records.	...	...	...	1	...	...	..	...	1
Total ...	7	11	9	13	4	...	1	2	47
GRAND TOTAL SUPERIOR AND INFERIOR.	15	17	17	20	15	5	6	8	103

A.—Indian Civil Service.]

APPENDIX VI.

Final Examination of 1891 when the Period of Probation was two years.		Final Examination of 1912 when the Period of Probation was one year.	
Subjects (*a*).	Marks.	Subjects.	Marks.
1. *Classical languages of India—		*Compulsory*—	
Sanskrit	500	1. The principal Vernacular language of the Province to which the candidate is assigned.	400
Arabic	400	2. Indian History	400
Persian	400	3. Indian Penal Code	400
2. †Vernacular languages of India (excepting Hindustani when taken up by Madras candidates and Gujrati) each.	400	4. Code of Criminal Procedure ...	200
		5. The Indian Evidence Act ...	200
3. The History and Geography of India	350	*Optional.*—(Not more than one of the following subjects.)	
4. ‡Law	1,250	1. §Sanskrit	400
5. Political Economy	350	2. §Arabic	400
		3. Persian	400
		4. Hindustani (for candidates assigned to the Province of Burma only).	400
		5. Hindu and Muhammadan Law...	450

(*a*) In addition to the above, candidates were permitted to take up any one of the following branches of Natural Science, viz., Agricultural chemistry, botany, geology and zoology, for which 350 marks were allowed.

* One or more of these subjects could be taken.

† One of the languages prescribed for the candidates' Presidency or Province.

‡ The course of reading in law included –

(1) General Jurisprudence—
Blackstone's Commentaries.
Austin's Jurisprudence.
The Institutes of Justinian.
Maine's Ancient Law.
Mackenzie's Studies in Roman Law.
Bentham's Theory of Legislation.

(2) Law of Evidence—
The Indian Evidence Act.
Pitt Taylor's Treatise on the Law of Evidence.

(3) Law of India—
The Code of Civil Procedure.
The Indian Penal Code.
The Code of Criminal Procedure.
The Indian Law of Contracts.
The Intestate and Testamentary Succession Act.
Hindu Law.
Muhammadan Law.

20th Report His Majesty's Civil Service Commissioners, pages 523-6.

Simultaneously, the candidates attended courts and supplied the following detailed reports, with an analysis and notes in each case:—

First Periodical Examination ...	Seven reports of police court cases of a stipendary Magistrate, embracing cases in which the magistrate exercised final jurisdiction and cases which he committed for trial.
	Four civil cases of a county court in which the parties were represented by counsel.
	One separate report of the whole business, of whatever kind, transacted in a police court during one day.
Second Periodical Examination ..	Five reports of Civil actions in the superior courts of London in which the defendant was represented by counsel.
	Five reports of cases decided in the Central Criminal Court in which the prisoner was represented by counsel.
Third Periodical Examination ...	Three reports of civil cases of importance tried before special juries in the Superior Courts of London.
	Three reports of criminal cases of importance tried before juries in the Central Criminal Court and selected for some special quality such as the gravity of the offence, the nature of the evidence produced, the number of the prisoners, etc.
Final Examination ...	One report of the investigation before a London police magistrate of a grave criminal charge ending in committal.
	One report of the whole business of whatever kind, transacted in a London police court in one day.
	Two reports of important civil cases tried by a special jury in London.
	One report of a case heard in the Judicial Committee of the Privy Council on appeal from India.

§ These subjects cannot be offered by any candidate who has offered them at the open competition.

APPENDIX VII.

AA.

STATEMENT showing the CADRE and STRENGTH of the INDIAN CIVIL SERVICE for INDIA as a whole and by PRESIDENCIES or PROVINCES, as sanctioned on 1st July 1912, together with the number of posts listed as open to the Provincial Service in accordance with the terms of the rules *made under the provisions* of Section 6 of the Government of India Act, 1870 (33 Vict., Cap. 3).

——	Madras.	Bombay.	Bengal.	United Provinces.	Punjab.	Burma.	Bihar and Orissa.	Central Provinces.	Assam.	Total.
(1) No. of "Superior" posts, *i.e.*, posts carrying a salary of over Rs. 1,000 a month in the Presidency or Province.	87	84	90	111	80	83	54	51	22	662
(2) *Deduct* for posts listed as open to Provincial Service.	8	6	8	7	11	5	5	6	...	56
(3) *Add* for posts under the Government of India (*a*).	8	8	8	10	7	6	5	...	2	58
(4) Balance number of "Superior" posts.	87	86	90	114	76	84	54	49	24	664
(5) *Add* 4 per cent. for temporary posts and for deputation. [*N.B.*—For such posts additions are made in the lowest grade of assistants.]	3	3	4	5	3	3	2	2	1	26
(6) Total number of "Superior" posts on which recruitment is based.	90	89	94	119	79	87	56	51	25	690
(7) *Add* "Inferior" posts, *i.e.*, posts above the lowest grade of assistants, but below the "Superior" posts, at 39 per cent. of line (6).	35	35	37	46	31	34	22	20	9	269
(8) *Add* leave reserve at 40 per cent. of line (6).	36	35½	37½	47½	32	35	22½	20	10	276
(9) *Add* training reserve at 15·5 of line (6).	14	13½	14½	18½	12	13	8½	8	4	106
(10) Strength of service required at 194·5 per cent. of line (6).	175	173	183	231	154	169	109	99	48	1,341
(11) Rate of recruitment at 4·17 per cent. of strength shown in line (10).	7·3	7·2	7·6	9·6	6·4	5·3 Civil. 1·7 Military.	4·5	4·1	2·0	54 Civil. 1·7 Military.

(*a*) The figures under this line are fixed arbitrarily from time to time for purposes of recruitment, and are not intended to limit or guarantee the number of posts under the Government of India, which may at any time be filled from a particular Province.

A.—Indian Civil Service.]

APPENDIX VII.—*contd.*

LIST A.

MADRAS.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
2	Members of Council	5,333⅓
2	High Court Judges	4,000
1	Member, Board of Revenue	3,750
1	Chief Secretary	3,750
1	Member, Board of Revenue	3,500
1	Secretary, Revenue Department	3,125
2	Members, Board of Revenue	3,000
2	District and Sessions Judges, first grade	3,000
1	Inspector-General of Police	2,500—100—3,000
1	Resident, Travancore	2,800
7	District and Sessions Judges, second grade ...	2,500
1	Secretary, Municipal (Local) Department	2,500
(*a*) 7	Collectors, first grade	2,500
7	District and Sessions Judges, third grade	2,250
(*a*) 14	Collectors, second grade	2,250
6	District and Sessions Judges, fourth grade	2,000
1	Commissioner of Coorg	1,800—2,000
(*a*) 6	Collectors, third grade	1,800
1	Secretary to Commissioner of Land Revenue ...	1,500—1,800
1	Secretary to Commissioner, Salt and Abkari Revenue ...	1,500—1,800
1	Registrar, High Court	1,500—1,800
1	Private Secretary	1,500
(*b*) 20	Sub-Collectors and Joint Magistrates, first grade ...	1,200
Total ... 87		
Deduct —8	For posts listed as open to the Provincial Service.	
Add +8	Do. under the Government of India.	
Balance 87		
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay.*	
3	Under-Secretaries	1,000
16	Joint Magistrates, second grade	900
16	Ditto, third grade	700
Total ... 35		
	Reserve posts, i.e., *Assistant Collectors.*	400—500
3	Reserve for temporary posts and for deputations.	
36	Leave reserve.	
14	Training reserve.	
Total ... 53		

(*a*) Includes Collector of Madras, Director of Agriculture, and Registrar of Co-operative Credit Societies.
(*b*) Includes Deputy Commissioner of Salt and Abkari, and Director of Land Records.

[A.—Indian Civil Service.

APPENDIX VII.—*contd.*

LIST B.

BOMBAY (INCLUDING SIND).

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
2	Members of Council	5,333⅓
3	High Court Judges	4,000
1	Chief Secretary	3,750
1	Commissioner in Sind	3,750
3	Commissioners	3,500
1	Secretary	3,125
1	Commissioner of Customs, Salt, Opium, etc. ...	3,000
1	Municipal Commissioner, Bombay	3,000
1	Judicial Commissioner, Sind	3,000
1	Inspector-General of Police	2,500—100—3,000
1	Additional Judicial Commissioner	2,750
(*a*) 3	District and Sessions Judges, first grade	2,500
1	Secretary	2,500
6	District and Sessions Judges, second grade ...	2,325
13	Senior Collectors	2,325
1	Commissioner of Settlement and Director, Land Records	Salary of grade *plus* a local allowance of Rs. 250.
9	District and Sessions Judges, third grade	1,800
(*b*) 15	Junior Collectors	1,800
1	Registrar, High Court	1,700
1	Private Secretary	1,500
1	Deputy Commissioner, Upper Sind Frontier ...	1,200 (Local allowance of Rs. 300.)
3	Political appointments	.....
1	Assistant Remembrancer of Legal Affairs	1,250—50—1,500
2	Under-Secretaries	1,250
1	Talukdari Settlement Officer	1,100
1	Assistant to Commissioner in Sind	1,100 (Local allowance of Rs. 100.)
1	Manager, Sind Encumbered Estates	Salary of grade *plus* special allowance of Rs. 200.
2	Superintendents of Land Records	Salary of grade *plus* special allowance of Rs. 150.
1	Registrar, Co-operative Credit Societies	
5	Assistant Collectors, first grade	900 (*c*)
Total ... 84 *Deduct* — 6 *Add* + 8 Balance 86	For posts listed as open to the Provincial Service. Do. under the Government of India.	
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay.*	
17	Assistant Collectors, first grade	900
18	Ditto, second grade	700
Total ... 35		
	Reserve posts, i.e., *Assistant Collectors.*	400—500
3	Reserve for temporary posts and for deputations.	
35½	Leave reserve.	
13½	Training reserve.	
Total ... 52		

(*a*) Includes Remembrancer of Legal Affairs.
(*b*) Includes Collector of Salt Revenue, Collector of Bombay and Director of Agriculture and Co-operative Credit Societies, but excludes Collector of Customs, Bombay.
(*c*) It has recently been proposed to raise the pay of these five appointments to Rs. 1,200.

[A—Indian Civil Service.]

APPENDIX VII.—*contd.*

LIST C.

BENGAL.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
2	Members of Council	5,333⅓
4	High Court Judges	4,000
1	Member, Board of Revenue	3,750
1	Chairman, Calcutta Corporation	3,500
1	Chief Secretary	3,333⅓
(*a*) 3	District and Sessions Judges, first grade	3,000
1	Chairman of the Calcutta Improvement Trust ...	3,000
5	Commissioners	2,916⅔
1	Inspector-General of Police	2,500—100—3,000
2	Secretaries	2,750
(*a*) 13	District and Sessions Judges, second grade ...	2,500
(*b*) 12	Magistrates and Collectors, first grade ...	2,250
(*a*) 14	District and Sessions Judges, third grade	2,000
(*b*) 13	Magistrates and Collectors, second grade	1,800
1	Registrar, High Court	1,700
(*b*) 14	Magistrates and Collectors, third grade	1,500
1	Private Secretary to His Excellency the Governor ...	1,500
1	Deputy Chairman, Calcutta Corporation	1,500
Total ... 90		
Deduct — 8	For posts listed as open to the Provincial Service.	
Add + 8	Do. under the Government of India.	
Balance 90		
	Inferior posts (i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay excluding one listed Under-Secretaryship*).	
2	Under-Secretaries	1,000
17	Joint Magistrates	900
17	Ditto	700
Total ... 36		
	Reserve posts, i.e., *Assistant Magistrates.*	400—500
4	Reserve for temporary appointments and deputations.	
37½	Leave reserve.	
14½	Training reserve.	
Total ... 56		

(*a*) Includes Superintendent and Remembrancer of Legal Affairs and three District and Sessions Judges for Assam

(*b*) Includes Commissioner of Excise, Director of Land Records, Director of Agriculture, two Secretaries to the Board of Revenue, Registrar of Co-operative Credit Societies, three Settlement Officers and four Additional Magistrates for Dacca, Midnapore, Bakarganj and Mymensingh.

APPENDIX VII.—*contd.*

LIST D.

United Provinces.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Lieutenant-Governor	8,333⅓
3	High Court Judges	4,000
1	Judicial Commissioner	3,500
2	Members, Board of Revenue	3,500
1	Additional Judicial Commissioner	3,333⅓
1	Chief Secretary	3,000
2	District and Sessions Judges, first grade	3,000
9	Commissioners	2,916⅔
1	Inspector-General of Police	2,500—100—3,000
1	Opium Agent	2,500—100—3,000
1	Commissioner, Kumaun	2,500
(*a*) 7	District and Sessions Judges, second grade ...	2,500
(*b*) 19	Magistrates and Collectors, first grade	2,250
(*a*) 6	District and Sessions Judges, third grade ...	2,250
10	District and Sessions Judges, fourth grade ...	1,833⅓
(*b*) 17	Magistrates and Collectors, second grade ...	1,833⅓
4	Deputy Commissioners, first grade	1,833⅓
3	District and Sessions Judges, fifth grade ...	1,666⅔
(*b*) 10	Deputy Commissioners, second grade	1,666⅔
1	Registrar, High Court	1,600
4	Settlement Officers	Salary of grade *plus* special allowance of Rs. 150.
1	Deputy Director of Land Records	
1	Registrar, Co-operative Credit Societies	
1	Superintendent, Dehra Dun	1,500
1	Deputy Commissioner, Naini Tal ...	1,500
1	Assistant Judge	1,100
2	Deputy Commissioners of Garhwal and Almora ...	1,000
Total ... 111		
Deduct — 7	For posts listed as open to the Provincial Service	
Add +10	Do. under the Government of India.	
Balance 114		
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay.*	
2	Under-Secretaries	1,000
1	Under-Secretary	800
1	City Magistrate, Lucknow	1,000
14	Joint Magistrates, first grade	1,000
6	Assistant Commissioners, first grade	800
1	Assistant Judge	800
20	Joint Magistrates, second grade	700
1	Registrar, Judicial Commissioner's Court ...	Salary of grade.
Total ... 46		
	Reserve posts, i.e., *Assistant Collectors.*	400—500
5	Reserve for temporary posts and for deputations.	
47½	Leave reserve.	
18½	Training reserve.	
Total ... 71		

(*a*) Includes the Legal Remembrancer.
(*b*) Includes two Secretaries in the Board of Revenue, Judicial and Financial Secretaries to Government, Director of Land Records and Agriculture and Commissioner of Excise.

A.—Indian Civil Service.]

APPENDIX VII.—*contd.*

LIST E.

PUNJAB (EXCLUDING THE NORTH-WEST FRONTIER PROVINCE).

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Lieutenant-Governor	8,333⅓
1	Chief Judge, Chief Court	4,000
2	Judges, Chief Court	3,500
2	Financial Commissioners	3,500
1	Chief Secretary	3,000
5	Commissioners	2,750
2	Divisional Judges, 1st grade	2,750
3	Divisional Judges, 2nd grade	2,500
5	Divisional Judges, 3rd grade	2,250
(*a*) 10	Deputy Commissioners, 1st grade	2,250
6	Divisional Judges, 4th grade	1,800
(*a*) 11	Deputy Commissioners, 2nd grade	1,800
8	District Judges	1,500
(*a*) 13	Deputy Commissioners, 3rd grade	1,500
6	Settlement Officers	Salary of grade *plus* special allowance of Rs. 150.
1	Registrar, Co-operative Credit Societies	
1	Senior Secretary to Financial Commissioners ...	Salary of grade, subject to a minimum of Rs. 1,200 and a maximum of Rs. 1,800.
1	Junior Secretary to Financial Commissioners ...	Salary of grade, subject to a maximum of Rs. 1,500 and a minimum of Rs. 1,000.
1	Registrar, Chief Court	1,250
Total .. 80 *Deduct* — 11 *Add* + 7 Balance 76	For posts listed as open to the Provincial Service. Do. under the Government of India.	
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay (excluding one Under-Secretaryship listed).*	
2	Under Secretaries	1,000
14	Assistant Commissioners, 1st grade	900
15	Ditto, 2nd grade	700
Total ... 31		
	Reserve posts, i.e., *Assistant Commissioners of the lowest grade.*	400—500
3	Reserve for temporary posts and for deputations.	
32	Leave reserve.	
12	Training reserve.	
Total ... 47		

(*a*) Includes two Secretaries of Government, Director of Land Records, Director of Agriculture and Political Agent in the Phulkian States.

[A.—Indian Civil Service.

APPENDIX VII.—*contd.*

LIST F.

BURMA.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Lieutenant-Governor	8,333⅓
1	Chief Judge, Chief Court	4,000
1	Judge, Chief Court	3,500
1	Judicial Commissioner, Upper Burma	3,500
1	Financial Commissioner	3,500
1	Chief Secretary to Government	3,000
8	Commissioners of Divisions	2,750
1	Commissioner of Settlements and Director of Land Records	2,750
2	Divisional Judges, 1st grade	2,750
1	President, Rangoon Municipality	2,500 (*a*)
1	Director of Agriculture	2,400 (*d*)
2	Divisional Judges, 2nd grade	2,250
(*c*) 12	Deputy Commissioner, 1st grade	2,250
1	Revenue Secretary to Government	2,250 (*b*)
1	Secretary to Government	2,250 (*b*)
2	Divisional Judges, 3rd grade	1,800
(*c*) 13	Deputy Commissioners, 2nd grade	1,800
8	District Judges	1,500
(*c*) 15	Deputy Commissioners, 3rd grade	1,500
1	Deputy Director of Land Records	1,600 (*b*)
1	Secretary to Financial Commissioner	1,500 (*b*)
1	Registrar, Chief Court	1,400 (*b*)
6	Settlement Officers	Salary of grade *plus* special allowance of Rs. 150.
1	Registrar, Co-operative Credit Societies	
Total ... 83		
Deduct −5	For posts listed as open to the Provincial Service.	
Add +6	For posts under the Government of India.	
Balance ...84		
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay.*	
11	Assistant Commissioners, 1st grade	1,000
13	Assistant Commissioners, 2nd grade	700
10	Assistant Commissioners, 3rd grade	600
Total ... 34		
	Reserve posts, i.e., *Assistant Commissioners of the 4th grade.*	450—500
3	Reserve for temporary posts and for deputations.	
35	Leave reserve.	
13	Training reserve.	
Total ... 51		

(*a*) Maximum salary, including a local allowance of Rs. 250 a month.
(*b*) Maximum salary including a local allowance of Rs. 400, Rs. 300, Rs. 200, Rs 200 and Rs. 200, respectively.
(*c*) Includes Superintendent of Shan States, Collector of Rangoon and Commissioner of Excise, the latter officer drawing the salary of grade *plus* a local allowance of Rs. 250, without a maximum.
(*d*) Maximum salary including a local allowance of Rs. 150 a month.

A.—Indian Civil Service.]

APPENDIX VII.—*contd.*

LIST G.

BIHAR AND ORISSA.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Lieutenant-Governor	8,333⅓
2	Members of Council	5,000
2	High Court Judges	4,000
1	Member, Board of Revenue	3,500
1	Chief Secretary	3,000
(*a*) 2	District and Sessions Judges, 1st grade	3,000
5	Commissioners	2,916⅔
1	Inspector-General of Police	2,500—100—3,000
(*a*) 5	District and Sessions Judges, 2nd grade	2,500
(*b*) 9	Magistrates and Collectors, 1st grade	2,250
(*a*) 5	District and Sessions Judges, 3rd grade	2,000
(*b*)10	Magistrate and Collectors, 2nd grade	1,800
(*b*)10	Ditto, 3rd grade	1,500
Total ... 54		
Deduct —5	For posts listed as open to the Provincial Service.	
Add +5	Do. under the Government of India.	
Balance... 54	On which recruitment is based.	
	Inferior posts, i.e., *posts above the lowest grade of assistants but below the "superior" posts (including one listed Under-Secretary) in order of pay.*	
2	Under-Secretaries	1,000
10	Joint Magistrates, 1st grade	900
10	Ditto, 2nd grade	700
Total ... 22		
	Reserve posts, i.e., *Assistant Magistrates.*	400—500
2	Reserve for temporary posts and for deputations.	
22½	Leave reserve.	
8½	Training reserve.	
Total ... 33		

(*a*) Includes Superintendent and Remembrancer of Legal Affairs and Judicial Commissioner, Chota Nagpur.
(*b*) Includes two Secretaries to Government, and Directors of Land Records and Agriculture, Commissioner of Excise, Registrar of Co-operative Credit Societies, two Settlement Officers and Political Officer, Orissa.

APPENDIX VII.—*contd.*

LIST H.

CENTRAL PROVINCES AND BERAR.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
	Central Provinces.	Rs.
1	Chief Commissioner	5,166⅔
1	Financial Commissioner	3,500
1	Judicial Commissioner	3,500
1	Additional Judicial Commissioner	3,000
1	Second Additional Judicial Commissioner	2,750
3	Commissioners	2,750
2	Ditto	2,500
1	Senior Divisional Judge	2,500
(*a*) 8	Deputy Commissioners, 1st class	2,250
(*a*) 12	Ditto, 2nd class	1,800
(*a*) 14	Ditto, 3rd class	1,500
4	Settlement Officers	Salary of grade *plus* special allowance of Rs. 150.
1	Director of Agriculture	
1	Registrar, Co-operative Credit Societies	
Total ... 51		
Deduct — 6	For posts listed as open to the Provincial Service.	
Add + 4	Do. under the Government of India.	
Balance ... 49		
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay.*	Rs.
6	Assistant Commissioners, 1st grade	900
13	Ditto, 2nd grade	700
Total ... 19		
	NOTE.—There is a defect of one post. It has recently been proposed to correct the defect and to grade the 20 posts as follows:—	
10	Assistant Commissioners, 1st grade	900
10	Ditto, 2nd grade	700
Total ... 20		
	Reserve posts, i.e., *Assistant Commissioners of the lowest grade.*	400-500
2	Reserve for temporary post and for deputations.	
20	Leave reserve.	
8	Training reserve.	
Total ... 30		

(*a*) Includes Chief Secretary, Secretary, Political Agent of Chhattisgarh, Commissioner of Excise, Commissioner of Settlement, three Divisional Judges, Inspector-General of Police, and two District and Sessions Judges, and one Secretary to the Chief Commissioner. The Inspector-General of Police draws a local allowance of Rs. 450, subject to a maximum salary of Rs. 2,500 a month.

A.—Indian Civil Service.]

APPENDIX VII.—*contd.*

LIST I.

ASSAM.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Chief Commissioner	5,166⅔
2	Commissioners	2,750
(*a*) 6	Deputy Commissioners, 1st grade	2,250
(*a*) 7	Ditto, 2nd grade	1,800
(*a*) 6	Ditto, 3rd grade	1,500
Total ... 22		
Deduct *Nil.*	For posts listed as open to the Provincial Service.	
Add + 2	Do. under the Government of India.	
Balance ... 24		
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay.*	
2	Under-Secretaries	1,000
4	Joint Magistrates, 1st grade	900
3	Ditto, 2nd grade	700
Total ... 9		
	Reserve posts, i.e., *Assistant Magistrates.*	400—500
1	Reserve for temporary posts and for deputations.	
10	Leave reserve.	
4	Training reserve.	
Total 15		

(*a*) Includes Superintendent of Lushai Hills; Commissioner of Excise, Inspector-General of Registration and Registrar of Co-operativ (Credit Societies; Director of Land Records and Agriculture; two Secretaries to the Chief Commissioner; Inspector-General of Police; one Settlement Officer, and Political Agent, Manipur.

LIST J.

Superior Posts under the Government of India.

Number.	Designation.	Pay of each.
		Rs.
3	Members of Council	6,666⅔
	Home Department—	
1	Secretary	4,000
1	Deputy Secretary	2,000
1	Director, Criminal Intelligence	3,000
1	Superintendent of Port Blair	2,500—3,000
	Finance Department—	
1	Secretary	4,000
1	Joint Secretary	3,000
1	Deputy Secretary	2,250
1	Comptroller and Auditor-General	3,500 – 4,000
3	Accountants-General	2,250—2,750
3	Officers of the India Finance Department ...	1,100—1,800

APPENDIX VII.—*concld.*

LIST J.—*concld.*

Number.	Designation.	Pay of each.
	Foreign Department—	Rs.
1	Secretary	4,000
1	Deputy Secretary	2,250
23	Political Officers	1,100—4,000
	Legislative Department—	
1	Secretary or Deputy Secretary	3,000—3,500 or 2,000
	Department of Revenue and Agriculture—	
1	Secretary	4,000
	Department of Commerce and Industry—	
1	Secretary	4,000
1	Director-General of Posts and Telegraphs ...	3,000—3,500
4	Postmasters-General	1,500—1,750 or 1,750—2,000 or 2,250—2,500
1	Commissioner, Northern India Salt Revenue ...	2,500
1	Inspector-General of Excise and Salt	3,000
3	Collectors of Customs	2,050—2,500
2	Assistant Collectors of Customs	1,150—1,400
	Department of Education—	
1	Secretary	3,000
Total ... 58		

BB.

STATEMENT showing for INDIA as a whole and by PRESIDENCIES and PROVINCES the actual strength of the INDIAN CIVIL SERVICE CADRE, as it stood on 1st July 1912, compared with the strength at which it should have stood on the same date in accordance with the sanctioned calculations.

Provinces.	Sanctioned strength.	Actual strength on 1st July 1912.		Number of officers over(+) or under(−) strength.
1	2	3		4
Madras	175		173	− 2
Bombay	173		176 (*a*)	+ 3
Bengal	183		174 (*b*)	− 9
United Provinces	231		237 (*c*)	+ 6
Punjab	154	Civilians 162 (*d*) ... / Military 29 (*e*) ...	191	+37
Burma	169	Civilians 126 ... / Military 49 ...	175	+ 6
Bihar and Orissa	109		107 (*f*)	− 2
Central Provinces	99		104 (*g*)	+ 5
Assam	48	Civilians 39 ... / Military 9 ...	48	...
Total ...	1,341		1,385	+44

(*a*) Excluding Sir B. Robertson, who permanently belongs to the Central Provinces, where he has been included, but including Mr. H. C. Mules of the Sind Commission.

(*b*) Excluding Messrs. Nathan and Hallet, who have been temporarily lent by Bihar and Orissa to Bengal and have been included in the Bihar and Orissa cadre.

(*c*) Including Sir H. Butler, who has not been numbered in the Civil List, but excluding Messrs. W. Alder and T. K. Johnston, who have been temporarily transferred to, and included in the Bengal cadre.

(*d*) Including Messrs. O'Dwyer, Lorimer, Barton, Grant, Rennie, Johnston, Glancy, Pipon, Bolton, Pears, Jelf, Howell, Bill, Copeland, Fraser, Fitzpatrick, Latimer, serving in the Political Department under the Government of India in the North-West Frontier Province, and Messrs. Bray and Cater, also serving under the Government of India in the Political Department in Baluchistan, and excluding Messrs. Cowan, Macnair and Jacob, serving in Bengal, where they have been included, and Mr. Gordon, serving in Assam, in which he has also been included.

(*e*) Including Lieutenant-Colonel Rawlinson, Mr. J. S. Donald, Major Blakeway, Lieutenant-Colonel Sir G. Roos-Keppel and Captain Keen, serving in the Political Department under the Government of India in the North-West Frontier Province.

(*f*) Excluding the late Mr. Shettle.

(*g*) Including Sir B. Robertson, who permanently belongs to the Central Provinces, but has been wrongly omitted from the Civil List, but excluding Messrs. Crawford (serving in Bihar and Orissa, where he has been included), and Liddell (serving in Bengal, in which he has been included), and three Indian members of the Berar Commission who have been treated as holding posts corresponding to three listed posts.

Nature of posts.	Madras.		Bombay.		Bengal.		United Provinces.	
	No.	Pay.	No.	Pay.	No.	Pay.	No.	Pay.
		Rs.		Rs.		Rs.		Rs.
Lieutenant-Governors and Chief Commissioners.	...	.....	...	.....	...	.....	1	8,333⅓
Members of Councils...	2	5,333⅓	2	5,333⅓	2	5,333⅓	...	.....
Judges of High or Chief Courts.	2	4,000	3	4,000	4	4,000	3	4,000
Boards of Revenue or Financial Commissioners.	4	(1) 3,750 (1) 3,500 (2) 3,000	...	.....	1	3,750	2	3,500
Commissioners of Divisions and others of same rank.	...	.....	6	(1) 3,750 (3) 3,500 (2) 3,000	5	2,916⅔	10	(9) 2,916⅔ (1) 2,500
Secretaries to Government.	3	(1) 3,750 (1) 3,125 (1) 2,500	3	(1) 3,750 (1) 3,125 (1) 2,500	3	(1) 3,333⅓ (2) 2,750	1	3,000
Secretaries to Boards of Revenue or Financial Commissioners.	2	1,500–1,800	...	.....	...	.....	...	.....
Judicial Commissioners	...	.....	2	(1) 3,000 (1) 2,750	...	.....	2	(1) 3,500 (1) 3,333⅓
District and Sessions Judges or Divisional Judges and District Judges.	22	(2) 3,000 (7) 2,500 (7) 2,250 (6) 2,000	18	(3) 2,500 (6) 2,325 (9) 1,800	30	(3) 3,000 (13) 2,500 (14) 2,000	28	(2) 3,000 (7) 2,500 (6) 2,250 (10) 1,833⅓ (3) 1,666⅔
Collectors or Deputy Commissioners.	27	(7) 2,500 (14) 2,250 (6) 1,800	29	(13) 2,325 (15) 1,800 (1) 1,500	39	(12) 2,250 (13) 1,800 (14) 1,500	54	(19) 2,250 (21) 1,833⅓ (10) 1,666⅔ (2) 1,500 (2) 1,000
Political Officers ...	1	2,800	3	.....	...	.....	...	.....
Miscellaneous posts ...	(a)4	(1) 2,500–3,000 (1) 1,800–2,000 (1) 1,500–1,800 (1) 1,500	(b)6	(1) 2,500–3,000 (1) 1,700 (1) 1,500 (1) 1,250–1,500 (2) 1,100	6 (c)	(1) 3,500 (1) 3,000 (1) 2,500–3,000 (1) 1,700 (1) 1,500 (1) 1,300	4 (d)	(2) 2,500–3,000 (1) 1,600 (1) 1,100
Under-Secretaries to Government.	3	1,000	2	1,250	2	1,100	3	(2) 1,000 (1) 800
Joint Magistrates or Assistant Commissioners, 1st grade.	20	1,200	...	.....	...	.....	...	.....
Joint Magistrates or Assistant Commissioners, 2nd (1st) grade.	16	900	17	900	17	900	22	(15) (e) 1,000 (7) (f) 800
Joint Magistrates or Assistant Commissioners, 3rd (2nd) grade.	16	700	18	700	17	700	20	700
Joint Magistrates or Assistant Commissioners, 4th (3rd) grade.	...	.....	..	.....	..	.....	...	.....
Assistant Collectors or Commissioners.	53	400—500	57	400—500	56	400—500	71	400—500
Appointments which do not carry fixed pay and the salary of which depends on the position of their holders.	...	.....	5	.....	...	.....	7	.....
Total ...	175	.....	171	.....	182	.....	228	.....

(a) Inspector-General of Police, Commissioner of Coorg, Registrar of High Court and Private Secretary to Governor.
(b) Inspector-General of Police, Registrar of High Court, Private Secretary to Governor, Assistant Legal Remembrancer, Assistant to Commissioner in Sind and Talukdari Settlement Officer.
(c) Chairman of Calcutta Corporation, Chairman of Calcutta Improvement Trust, Inspector-General of Police, Registrar of High Court, Private Secretary to Governor and Deputy Chairman of Calcutta Corporation.
(d) Inspector-General of Police, Opium Agent, Registrar of High Court and Assistant Judge.
(e) Includes City Magistrate of Lucknow.
(f) Includes an Assistant Judge.

DIX VIII.

Punjab.		Burma.		Bihar and Orissa.		Central Provinces and Berar.		Assam.	
No.	Pay.	No.	Pay.	No.	Pay.	No.	Pay.	No.	Pay.
	Rs.		Rs.		Rs.		Rs.		Rs.
1	8,333⅓	1	8,333⅓	1	8,333⅓	1	5,166⅔	1	5,166⅔
...	.....	...	.....	2	5,000	...	.....	...	.....
3 {	(1) 4,000 (2) 3,500	2 {	(1) 4,000 (2) 3,500	2	4,000	...	.....	...	.....
2	3,500	1	3,500	1	3,500	1	3,500	...	.....
5	2,750	9	2,750	5	2,916⅔	5 {	(3) 2,750 (2) 2,500	2	2,750
1	3,000	1	3,000	1	3,000	...	.....	...	.....
2 {	(1) 1,200-1,800 (1) 1,000-1,500	...	.....	...	.....	...	.....	...	.....
...	.....	1	3,500	...	.....	3 {	(1) 3,500 (1) 3,000 (1) 2,750	...	.....
24 {	(2) 2,750 (3) 2,500 (5) 2,250 (6) 1,800 (8) 1,500	14 {	(2) 2,750 (2) 2,250 (2) 1,800 (8) 1,500	12 {	(2) 3,000 (5) 2,500 (5) 2,000	1	2,500	(*j*)	.....
34 {	(10) 2,250 (11) 1,800 (13) 1,500	40 {	(12) 2,250 (13) 1,800 (15) 1,500	29 {	(9) 2,250 (10) 1,800 (10) 1,500	34(*i*) {	(8) 2,250 (12) 1,800 (14) 1,500	19 {	(6) 2,250 (7) 1,800 (6) 1,500
...	.....	...	.....	...	.....	...	.....	...	.....
(*g*) 1	1,250	...	.....	1 (*h*)	2,500—3,000	...	.....	..	.....
2	1,000	...	.....	2	1,000	...	.....	2	1,000
...	.....	...	.....	...	.....	...	.....	...	.....
14	900	11	1,000	10	900	6	900	4	900
15	700	13	700	10	700	13	700	3	700
...	.....	10	600	...	.....	...	.....	...	.....
47	400—500	51	450—500	33	400—500	31	400—500	15	400—500
7	.....	14	.....	...	.....	6	.....	...	.....
158	.....	168	.....	109	.....	101	.....	46	.....

(*g*) Registrar of Chief Court.
(*h*) Inspector-General of Police.
(*i*) Includes Divisional Judges except the Senior Divisional Judge.
(*j*) Three District and Sessions Judges are graded with the Bengal cadre.

APPENDIX VIII—*concluded.*

DD.

Presidency or Province.	Collectors or Deputy Commissioners.							District and Sessions Judges, including Divisional and District Judges.							Joint Magistrates, Assistant Collectors and Assistant Commissioners.							
	Total number of appointments.	Appointments in the grades of Rs. 2,250 and over.		Appointments in the grades of Rs. 1,800 and over, but less than Rs. 2,250.		Appointments in the grades of Rs. 1,500 and over, but less than Rs 1,800.		Total number of appointments.	Appointments in the grades of Rs. 2,250 and over.		Appointments in the grades of Rs. 1,800 and over, but less than Rs 2,250.		Appointments in the grades of Rs. 1,500 and over, but less than Rs 1,800.		Total number of appointments.	Appointments in the grades of Rs. 900 and over, but below Rs. 1,500.		Appointments in the grades of Rs 700 and over, but below Rs. 900.		Appointments in the grades of Rs. 500 and over, but below Rs. 700.	
		No.	Percentage.	No.	Percentage.	No.	Percentage.		No.	Percentage.	No.	Percentage	No.	Percentage.		No.	Percentage.	No.	Percentage	No.	Percentage.
Madras ...	27	21	77·8	6	22·2	...	...	22	16	72·7	6	27·3	...	...	105	36	34	16	15·3	53	50·4
Bombay ...	29	13	44·8	15	51·7	1	3·5	18	9	50	9	50	...	...	92	17	18·5	18	19·6	57	61·9
Bengal ...	39	12	30·8	13	33·3	14	35·9	30	16	53·3	14	46·7	...	...	90	17	18 8	17	18·8	56	62·2
United Provinces ...	54	19	35·2	21	38·9	14*	25 9	28	15	53·6	10	35·7	3	10·7	113†	15	13·3	27	23 9	71	62·8
Punjab ...	34	10	29·5	11	32·3	13	38·2	24	10	41·7	6	25	8	33·3	76	14	18·4	15	19·8	47	61·8
Burma ...	40	12	30	13	32·5	15	5	14	4	28·6	2	14·3	8	57·1	85	11	12·9	13	15·3	61	71·8
Bihar and Orissa ...	29	9	31·0	10	34·5	10	34 5	12	7	58·3	5	41·7	...	...	53	10	18·9	10	18·9	33	62·2
Central Provinces and Berar.	34	8	23·5	12	35 3	14	41·2	1	1	100	...	..	...	...	50	6	12	13	26	31	62
Assam ...	19	6	31·6	7	36·8	6	31·6	...	...	...	...	...	...	...	23	4	18·1	3	13·6	15	68·3

* Includes two hill Deputy Commissionerships which carry a pay of Rs. 1,000 each on account of their amenities.
† Includes City Magistrate, Lucknow, and an Assistant Judge on Rs. 800.

APPENDIX A.

Resolution of the Government of India, Home Department (Establishments), Nos. 1046-1058, dated Simla, the 19th August 1910.

The Governor-General in Council has had under consideration the recommendation made by the Royal Commission on Decentralization at the end of paragraph 128 of their Report on the subject of framing rules for the recruitment of provincial services. The majority of the Commission consider it unnecessary that rules for the recruitment of those services should, as is now the case, require the sanction of the Government of India, and they express the opinion that the functions of that Government should be limited to laying down a few general principles as to eligibility for appointment, etc., on which detailed provincial rules would be based.

2. In the present Resolution the Governor-General in Council proposes to deal only with the provincial civil services (executive and judicial). The case of other provincial services will be separately considered.

3. The present system, under which the previous sanction of the Government of India is required to making or altering the rules for the recruitment of the provincial civil services, was introduced in 1892, as the result of the Report of the Public Service Commission. The Governor-General in Council has now decided to accept in substance the recommendation of the Decentralization Commission, and is pleased accordingly to invest local Governments with the power to make rules for the recruitment of the provincial civil services without the previous sanction of the Government of India, but subject to their general control. The general conditions which should govern such recruitment have been already fully considered in connection with the inquiries made by the Public Service Commission, and the Governor-General in Council, upon a further consideration of the subject, sees no reason to modify the conclusions then arrived at. It will, however, be convenient to re-state them in the present connection, as follows:—

I. The rules must be adapted, on the one hand, to obtain thoroughly efficient candidates, and, on the other, to secure the due representation in the public service of the different classes of the community.

II. Every candidate for appointment by recruitment must furnish satisfactory evidence—

(*a*) that he is not over 25 years of age, except in the case of Barristers, Advocates, or Pleaders appointed to the Judicial Branch; these excepted cases will be governed by Article 51 of the Civil Service Regulations;

(*b*) that he has attained a prescribed preliminary standard of general education to be fixed by local Governments with reference to local conditions, the object being to secure men qualified by as high a standard of general education as the conditions and requirements of the local administration permit. In particular, qualification in one or more of the vernacular languages of the province in which he is to be employed is to be insisted on. The vernacular standard should be a high one, involving a thorough knowledge of the language and ability to write and read the written character with facility;

(*c*) that he is of sound health, good physique, and active habits; and

(*d*) that he is of good character.

III. Every person appointed to the provincial civil service by direct recruitment shall be subject to a period of probation or training, during which time his appointment will be probationary only, unless in special cases the local Government declares such probation or training to be unnecessary.

IV. The subjects of Native Princes in alliance with His Majesty shall be eligible for appointment, provided they are qualified in other respects.

V. Admission to the provincial civil service should usually be confined to persons who are Natives of the province or have definitely settled in it. In the case of candidates who are not Natives of the province, recent residence of at least three years in the province should, as a general rule, be an essential conditions of admission. No Barrister, Advocate, or Pleader should be appointed as such, unless he has been at least three years actually practising his profession in India and can speak the provincial vernacular.

VI. Europeans who are not statutory Natives of India shall be eligible for appointment, if qualified according to the above conditions, with the sanction of the Government of India.

VII. The local Government should reserve to itself the right to make promotion to the superior grades of the provincial civil service without regard to seniority, and seniority alone should not give a claim to appointment to the grade of Rs. 500 a month and higher grades.

VIII. The Government of India retain power in very special cases to make direct appointments to offices in the higher grades of the provincial civil services, and whenever the Government of India exercise this power in the case of judicial officers, it will be confined to Barristers, Advocates, or Pleaders of the High Courts who have shown distinguished ability in the exercise of their profession for not less than ten years and have a thorough knowledge of the vernacular.

A.—Provincial Civil Service.]

IX. No member of the provincial civil service shall be dismissed otherwise than on the result of a judicial or formal departmental inquiry.

4. The Governor-General in Council directs that any change made in the rules from time to time should be forthwith communicated to the Government of India in the Home Department, in order that they may be in a position to exercise effective general control. His Excellency in Council considers it desirable, moreover, that this resolution should be published by the local Governments and Administrations as part of the respective provincial rules.

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* Madras.
Bombay.
Bengal.
United Provinces,
Punjab.
Burma.
Eastern Bengal and Assam.

† Foreign.
Revenue and Agriculture.
Public Works.
Commerce and Industry.

ORDER.—Ordered that a copy of this Resolution be forwarded to the local Governments* and Departments of the Government of India† noted on the margin and to the Honourable the Chief Commissioner of the Central Provinces for information.

A. EARLE,
Offg. Secy. to the Govt. of India.

APPENDIX B.

Office.	Rate of pay in Rupees.	Number of appointments in each grade.													
		Madras.	Bombay.			Bengal.	United Provinces.			Punjab.	Burma.	Bihar and Orissa.	Central Provinces.	Assam.	Total.
			Presidency proper.	Sind.	Total		Agra.	Oudh.	Total.						
Executive Branch.															
Deputy Collectors in Madras, Bombay, Bengal, the United Provinces and Bihar and Orissa. Extra Assistant Commissioners in the Punjab, Burma, Central Provinces and Assam.	800	3	...	...	2	5	...	...	4	3	3	4	2	1	27
	700	6	..	...	3	7	...	...	6	4	5	5	3	1	40
	600	8	...	...	7	16	..	...	12	5	10	12	6	3	79
	500	29	...	...	23	48	...	..	35	12	36	36	14	10	243
	400	32		...	23	71	..	.	53	24	36	52	23	14	328
	300	29	...	...	24	73	...	.	55	25	35	54	24	15	334
	250	30	...	...	.	79	...	...	58	(a)40		59	14	16	296
	200	...	...	...	...	...		...	...	...	...	...	12	...	12
Total ...	...	137	...	.	82	299		...	223	113	125	222	98	60	1,359
Mamlatdars ...	250	..	29	.	29	...	..	...	...	...	...	...	...	...	29
	225	...	34	...	34	...	...	...	...	...	...	...	...	.	34
	200	...	39	...	39		..	...	...	...	...	...	...	...	39
	175	...	45	...	45	...	..	..	..	...	...	...	...	...	45
	150	...	50	...	50	...	...		...	.	...	...	...	...	50
Total ..	...	...	197	...	197	...	...	...	..	...	...	...		.	197
Total (Executive Branch)	...	137	...	...	279	299	...	.	223	113	125	222	98	60	1,556
Judicial Branch.															
Subordinate Judges (also called Judicial Extra Assistant Commissioners in the Punjab and District Judges in the Central Provinces in the grades of Rs. 500 and upwards).	1,000	...	...	...	...	6	...	...	...	...	...	2	...	..	8
	800	4	3	1	4	12	3	2	5	3	1	6	2	...	37
	700	...	...	...	...	...	...	...	...	4	1	...	3	...	8
	650	5	4	1	5	...	7	3	10	...	...	...	...	...	20
	600	...	...	...	...	24	..	...	...	5	2	12	5	...	48
	500	9	8	1	9	...	9	7	16	12	8	...	5	...	59
	400	...	...	...	...	...	...	...	..	12	8	..	17	...	37
	300	...	...	...	...	...	...	.	...	12	9	..	16	...	37
Total ...	...	(d)18	15	3	18	(b)42	19	12	31	48	29	(b)20	48	(b)	254
Munsifs (also called Subordinate Judges, 2nd class, in Bombay).	500	..	...	..	...	12	...	...	..	...	...	..	...	...	12
	400	33	19	2	21	61	22	8	30	...	...	20	...	...	165
	300	33	22	4	26	70	24	8	32	...	..	19	...	...	180
	250	33	...	...	...	66	...	...	...	...	...	19	..	...	118
	200	29	36	5	41	36	22	10	32	...	...	10	...	...	148
	175	...	...	..	..	...		...	...	.	...	...	...	...	...
	150	...	12	3	15	.		...	...	...	...	...	...	...	15
Total ..	...	(e)128	89	14	103	(b)245	68	26	94	(c)	(c)	(b)68	(c)	(b)	638
Total (Judicial Branch)	...	146	104	17	121	287	87	38	125	48	29	88	48	...	892
GRAND TOTAL ...	...	283	...	...	400	586	...	...	348	161	154	310	146	60	2,448

(a) This grade is common to both the Judicial and Executive Branches.

(b) The Subordinate Judges and Munsifs employed in Assam are included in the Bengal cadre, and both that cadre and the Bihar and Orissa cadre have been shown above in accordance with the scale proposed by the Calcutta High Court. This matter is under discussion in connection with the recent teritorial changes.

(c) Munsifs in the Punjab and the Central Provinces and Judicial Myooks in Burma belong to the Subordinate Judicial Service, and are paid at rates ranging from Rs. 150 to Rs. 250 a month.

(d) Includes four appointments which have been added since the last general reorganization in 1934.

(e) „ three „ „ „ revision of the grades in August 1911.

B.

QUESTIONS RELATING TO THE INDIAN AND PROVINCIAL CIVIL SERVICES.

[Note.—In replies to these questions, it should be clearly specified whether the reply refers to the whole Provincial Civil Service, or to the Executive Branch or to the Judicial Branch.]

INDIAN CIVIL SERVICE.

1. What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?

2. In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?

3. Is the system equally suitable for the admission of "Natives of India"* and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?

* The term "Natives of India" has been defined in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India and not established there for temporary purposes only, and the term is so used throughout these questions.

4. Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons.

5. If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose.

6. In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?

7. What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?

8. If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular, do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?

9. If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?

10. Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?

11. Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system which you would propose.

12. Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter.

13. If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons.

14. What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?

15. What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India, and for other natural-born subjects of His Majesty?

16. What alterations, if any, do you recommend in the authorized syllabus of subjects and marks prescribed for the open competitive examination?

17. Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons.

18. Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons?

19. Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?

20. Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?

21. Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?

22. If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your Province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?

23. Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers from other Indian services?

24. What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?

25. Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one quarter of the listed posts?

26. Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?

27. Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?

28. Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions.

29. Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?

30. If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?

31. Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend.

32. Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?

33. Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?

34. Do you think it desirable that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?

35. Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?

36. Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?

37. Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch.

38. Do you recommend any special course of study in law in India for officers selected for the Judicial Branch?

39. Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial Branch? If so, please give details.

40. Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend.

41. If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited.

42. Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals.

43. Please add such remarks as you may desire to offer on any points relating to the probation and training of members of the Indian Civil Service which are not covered by your answers to the foregoing questions.

44. Do you consider that the numbers of officers authorized for the various grades of the Indian Civil Service are satisfactory? If not, please state your views.

45. Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?

46. If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?

47. Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the Service?

48. Have you any proposals to make in regard to the leave rules applicable to members of the Indian Civil Service?

49. Have you any proposals to make in regard to the leave rules applicable to Statutory Civilians and to members of the Provincial Civil Services holding listed posts? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?

50. Please add such other remarks as you may desire to offer on any point relating to the conditions of service, salary, leave, and pension in the Indian Civil Service.

PROVINCIAL CIVIL SERVICE.

51. Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service and reproduced as Appendix A.* Are these conditions suitable, or have you any recommendations to make for their alteration?

52. In particular, are the rules for the recruitment of the Provincial Civil Service in force in your Province suitable, or have you any recommendations to make for their alteration?

53. Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?

54. Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?

55. Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections and what other arrangement you recommend?

56. Do you consider that the numbers of officers authorized for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views.

57. To what extent are the functions of the officers of the Executive and Judicial Branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?

58. Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?

59. Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?

60. Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?

61. Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?

62. Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?

63. Are you satisfied with the present system of superannuation pensions for officers of the Provincial Civil Service? If not, please say what modifications you would suggest and on what grounds?

64. Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable.

65. Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them.

* *Vide* p. xxxiii.

ROYAL COMMISSION ON THE PUBLIC SERVICES IN INDIA.

MINUTES OF EVIDENCE

TAKEN BEFORE THE

ROYAL COMMISSION

ON THE

PUBLIC SERVICES IN INDIA.

At Patna.

Monday, 24th March 1913.

THIRTY-SEVENTH DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

SIR MURRAY HAMMICK, K.C.S.I., C.I.E.
SIR THEODORE MORISON, K.C.I.E.
MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.
ABDUR RAHIM, Esq.
WALTER CULLEY MADGE, Esq., C.I.E.
HERBERT ALBERT LAURENS FISHER, Esq.

And the following Assistant Commissioners :—

WALTER MAUDE, Esq., I.C.S., Member of the Board of Revenue.

KHAN BAHADUR ASHFAQ HUSSAIN, Deputy Magistrate and Deputy Collector.

NARENDRA KRISHNA DATTA, Esq., B.L., Officiating Additional District and Sessions Judge, Shahabad.

M. S. D. BUTLER, Esq., C.V.O., C.I.E. (*Joint Secretary.*)

HAVILLAND LEMESURIER, Esq., C.S.I., C.I.E., I.C.S. (representing the Local Government).

Written answers relating to the Indian Civil Service.

37934 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—Government accept the present system of open competition in England as generally satisfactory in principle.

37935 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The system was not designed with a view to the requirements of "Natives of India." It was designed to find a rough and ready means of selection amongst candidates born and educated in the United Kingdom who were necessarily assumed in other respects to be equally suitable. As this system involves a period of study and of subsequent probation in England, it gives to "Natives of India" the same conditions of training in a considerable measure as are enjoyed by other candidates, and it so far has worked well. But should altered conditions of the examinations or any other cause bring about a very large increase in the proportion of Indian candidates, or should the number of appointments now reserved for the Indian Civil Service which are thrown open to Indians other than those who pass the competitive examination in England be largely increased, the suitability of the system would have to be reconsidered with regard to the necessity for maintaining the essentially British character of the Service.

37936 (4). Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty?—No differentiation appears to be necessary.

37937 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to

the advantage of Indian interests? Please give your reasons?—The combination has undoubtedly in the past maintained a very high standard for the examination, and probably the Service has benefited by the fact that candidates who, if it were a separate examination, would not have appeared for the Indian Civil Service only, have accepted appointments when they failed to get into the Home service after passing the joint examination. A further advantage of the existing arrangement lies in its affording a useful test of the popularity of the Indian Service. Before the examinations were amalgamated, the Home and Colonial Services were very largely recruited from men who had failed for the Indian Civil Service, and it is believed that during the earlier years of the amalgamated examination the proportion of the candidates who passed sufficiently high to have a choice and selected the Indian in preference to the Home Service was larger than at present. The greater independence and responsibility attaching to the Indian Service are calculated to attract men to it; and, if they fail to do so, it may be assumed that some counteracting cause is at work which requires investigation. The smaller the British element in the service, the greater becomes the necessity for attracting to it the very best men.

37938 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(*a*) Selection by head masters of schools approved or otherwise, (*b*) Selection by authorities in Universities approved or otherwise, (*c*) Nomination by head masters or University authorities and selection under the orders of the Secretary of State, (*d*) Combined nomination and examination, and (*e*) Any other method?—No change has been recommended, but, should one be made hereafter, it would preferably take the form of a combination of nomination and examination or other conditions requiring a high standard of general education; and in this connection the system adopted in the recruitment for the Civil Service of the Sudan appears to be worth examination. In any case it appears very desirable that some means should exist for weeding out socially unsuitable candidates.

37939 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—This Government are opposed to any system of simultaneous competitive examination. They support the views put forward by the Public Service Commission of 1886 in paragraph 60 of their report. It is of the utmost importance to maintain the essentially British character of the administration. India contains numerous religions, sects, and castes; and an Englishman who belongs to none of them is more likely to be impartial than an Indian who has not had an European education. Also he is more independent and is not amenable to outside influences. Simultaneous examinations would not only reduce the number of men who would succeed in England, but this reduction would probably in its turn affect the number of competitors there and so lower the standard of Englishmen who get in. The Local Government attach very great importance to a searching *vivâ voce* examination in the different subjects, and it would be practically impossible to secure an equal standard of oral examination in England and India even if equally competent examiners were available in this country. As stated in the answer to question (42), Government attach great importance to an oral examination in the different subjects, and it would be practically impossible to obtain an equal standard of oral examination in India even if such an examination were possible. A system of competitive examination in India moreover would conceivably lead to a predominance of one or two races, not necessarily those most fitted for administrative work. Apart from these objections as regards their effect on the character of the Service, simultaneous examination would almost certainly result either in turning the Indian Universities into cramming establishments with a view to the Civil Service Examination, or to the abandonment by the most brilliant youths of the country of the University course of education in favour of study at private cramming establishments.

37940 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—Government are not in favour of a system of recruitment of candidates in India by any method of a separate competitive examination. The system of recruitment by competitive examination is entirely unsuited to India, where the class of men who would succeed would ordinarily lack the previous training and traditions which are essential for a successful administrator. Strength of character, power of control, soundness of judgment, impartiality, energy, and reliability are far more valuable qualities than the merely intellectual ones which conduce to success in an examination.

37941 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—If any addition is made by recruitment in India to the number of Indians in the Service it should be by nomination from

amongst graduates in honours of the Indian Universities, who should be selected with reference to their character, social position, and the public services of their family, and should be subject to rigorous tests of health and physique. These candidates should be selected by a Central Board appointed by the Imperial Government, and on appointment should be sent to England for a course of probation of at least two years at a residential University where they should undergo a training similar to that which it is proposed to prescribe for the Indian Civil Service probationers, with such modifications as might be found necessary having regard to the nature of their previous studies in India. On the expiry of their period of probation these candidates should be appointed to the Indian Civil Service and be in every respect on the same terms as those appointed in England. It is most essential that in the selection of the approved candidates due representation should be given to the different classes and communities. The existing strength of the Civil Service as now recruited should not be reduced, but the system above indicated might be introduced to fill up all additions to the Service which may be necessary in future as explained in the replies to subsequent questions.

NOTE.—The Honourable the Maharaja Bahadur Sir Rameshwar Singh of Darbhanga has recorded the following dissent from the opinion of his colleagues :—

I would make the residence in England optional in the case of Indians who are unable, on account of financial and religious considerations, to proceed to England on a two years' probation. There is a very large number of His Majesty's Indian subjects who cannot afford the expense of a training in England and whose religious ideas will prevent them from crossing the sea. At the same time they look forward to getting an opportunity of serving the Crown by the reason of their intellectual, social and physical fitness.

I feel sure that a practical training in India under competent supervision will qualify the selected candidate for the post almost as well as a training in England would do. Indian administration contains several examples of Indians who have proved themselves to be first-class judges and administrators, although they have never stepped beyond the Indian soil; so that it may be hoped that the experience of the past and present in this respect will not defeat the expectations of the future.

37942 (11). If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—Subject to what has been said in the answer to question (3), "Natives of India" should not be deprived of any of the rights which they now enjoy of competing for the Service at the open competition in England.

37943 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—The system suggested in the answer to question (10) should be supplementary to the present system of promoting to listed posts officers of the Provincial Civil Service, but the number of such posts should not be increased.

37944 (13). Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system that you would propose?—This Government do not recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service. The preliminary training which an officer who selects the Judicial Branch receives under the present system is of the utmost value to him in the performance of his duties as a Judge. His tours and revenue and executive duties, especially if he is employed on Settlement work, give him a practical knowledge of the actual conditions of village life and the relations between landlord and tenant which it would be impossible for him otherwise to obtain and the want of which would be certain to result in frequent miscarriages of justice. Apart from the fact that a Judge without administrative training is at a great disadvantage in performing the executive and controlling duties attaching to his office, which are of the utmost importance, the want of such training is a very serious source of weakness to him in his judicial capacity.

37945 (14). Are you satisfied with the present definition of the term "Natives of India" in Section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—The definition seems to this Government to be suitable for the purpose for which it was drawn up, namely, to include all classes of residents in India who are in any way partially debarred by the existing conditions from appearing at the open competition for the Indian Civil Service in England. This Government are not in favour of discriminating between those who are of European and mixed European or pure Indian descent. For the above purpose the Native States should be regarded as forming a portion of His Majesty's Dominions in India.

37946 (15). If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—This Government consider that under the present system

candidates arrive in India somewhat too late in life and also, as stated in the answer to question (44), that the period of probation should be two years instead of one. To this latter point they attach great importance. On the other hand the candidates should, if possible, have undergone a University training and taken a University degree. It is possible for a candidate to have obtained his degree at the age of 21 and, though this age would in most cases exclude those who have studied the full Oxford Honours course, the advantage of three years' study at the University would be assured in all cases by fixing the maximum age at 22. On a consideration of the relative advantages it is suggested that the age for the open competition should be from 20 to 22.

37947 (16). What is your experience of the relative merits of the candidates selected under varying age-limits, particularly under the systems in force from 1878 to 1891 (age-limits 17—19 years, followed by two or three years' probation at an approved University) and since 1891 (age-limits 21—23 or 22—24 years, followed by one year's probation)?—So far as Government are aware, there is no marked difference in the relative merits of the candidates selected under the two systems, though in view of statements which have been made on the subject it would be well to examine the question whether candidates selected when the lower age-limit was in force showed a greater tendency to break down during the earlier years of their service than those who have come in since 1891.

37948 (17). What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—There has recently not been quite so large a proportion of candidates from the better known Public Schools and Universities, nor quite so many honours men. Still the standard of men recruited is on the whole suitable, and there is no sufficient evidence in the possession of this Government to show that there has been any general falling off in recent years.

37949 (18). What is the most suitable age at which junior civilians should arrive in India?—From 22 to 24.

37950 (19). What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India," and for other natural-born subjects of His Majesty?—Government do not consider that any differentiation is desirable. The age recommended in the answer to question (15) is quite suitable for Indian candidates at the competitive examination. It is believed that from the point of view of the candidates themselves the lower the age-limit the better the chances of Natives of India would be. They develop more quickly and are probably more diligent during their school-going age. Later on the position is to a great extent reversed. From the point of view of the Service it is essential that the Natives of India who are admitted should possess the staying power in which the prematurely ripened Indian youth is too often wanting in after-life.

37951 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—This Government fully accept the views and principles laid down by Lord Macaulay's Committee. In particular they strongly deprecate any attempt to recruit specialists whether for the judicial or other branches of the Service. There should be *no* specialisation previous to selection.

37952 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons?—No.

37953 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 & 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.]?—This Government consider that so long as the administration of the country is conducted by the Indian Civil Service, in whatever manner recruited, it is desirable to specify what are the appointments which it is to fill. Government are not in favour of any alteration in the Schedule to the Indian Civil Service Act of 1861. When it is necessary that such appointments should be held by persons other than members of the Indian Civil Service, the Acts of 1861 and 1870 provide means by which this can be done.

37954 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service Cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—So long as the present system of recruitment by open competition in England is maintained intact, there appears to be no necessity for fixing a minimum proportion of Europeans.

37955 (25). Do you accept as generally satisfactory in principle the present system under

which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54)? Do you recommend any alterations in this system, and, if so, what?—The system is generally satisfactory in principle. The manner in which "Natives of India" should be recruited has already been discussed.

37956 (26). Give a list of the "Natives of India" now serving in your province who were recruited to the Indian Civil Service by means of open competition in England, stating in what year they were admitted, in which posts they are now serving, and their present rate of salary?—Including the Honourable Mr. Basanta Kumar Mullick, who has recently been appointed to act as a Judge of the High Court, the following are the "Natives of India" *now serving in the province of Bihar and Orissa*, who are members of the Indian Civil Service:—

No.	Name.	Year in which admitted to the Indian Civil Service.	Present post.			Present salary.	
			Substantive appointment.	Officiating appointment.	Station.		
							Rs.
1	The Honourable Mr. Basanta Kumar Mullick.	1889 . .	Superintendent and Remembrancer of Legal Affairs.	Temporary Judge, High Court.	Calcutta .		4,000
2	Mr. Birendra Chandra Sen.	1893 . .	Magistrate and Collector, 2nd grade.	Magistrate and Collector, 1st grade.	Chaibasa (Singhbhum).	Pay . . . Acting allowance	1,800 450
						Total .	2,250
3	Mr. Manmatha Krishna Deb.	1899 . .	Joint Magistrate and Deputy Collector, 1st grade.	.....	Monghyr .	Pay	900
4	Mr. Sankara Balaji Dhavle.	1906 . .	Under-Secretary to Government (substantive *pro tempore*).	... ..	Ranchi . .	Pay . . .	1,000

37957 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?—In so far as the system of direct nomination outlined in the answer to question (10) resembles the appointment of Statutory Civilians, the answer is yes, but the old system did not provide for the necessary qualifications or training, nor was the method of selection satisfactory.

37958 (29). What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your province? Please distinguish in your reply between (*a*) military officers, and (*b*) others; and give details of the latter?—There are no such officers in this province. The Lieutenant-Governor's personal experience of military officers in the Political Department in which he served for many years is in their favour, provided that they are very carefully selected. As a rule, however, he would not recruit from this source for regulation provinces in British India.

37959 (31). If the system of recruiting military officers in India has been stopped, or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent should it be adopted?—Government is not prepared to recommend the re-introduction of this system.

37960 (33). Please now refer to the rules, dated 26th August 1910, made in exercise of the powers conferred by section 6 of the Government of India Act, 1870 (33 Vict., c. 3), and reproduced as Appendix IV, and to the statement in Appendix V to these questions, showing the number of offices, places, and appointments, commonly known as listed posts, ordinarily held by members of the Indian Civil Service, to fill which it has been declared that members of the Provincial Civil Service can properly be appointed; and say whether the figures given are correct for your province?—The statement is correct.

37961 (34). Are all the posts thus listed ordinarily and regularly filled by "Natives of India"? If not, please state for the last five

years to what extent there has been any failure to work up to the authorized list, and explain the reasons?—The figures for this province are only available since its creation on the 1st April 1912. Since then the holders of the listed posts have been:—

	Name.	Substantive appointment.	Officiating or temporary appointment.	Date. From	Date. To
			Judicial.		
Provincial	Mr. Tej Chandra Mukharji.	District and Sessions Judge.	.....	April 1st, 1912.	July 31st, 1912. (Retired.)
	Mr. Ram Lal Datta .	Ditto .	.....	Ditto .	Still a Judge.
	Mr. Narendra Krishna Datta.	...	Officiating District and Sessions Judge.	September 3rd, 1912. December 2nd, 1912.	November 22nd, 1912. Still acting as a Judge.
			Executive.		
Statutory	Mr. Ahsan-ud-din Ahmad, I.S.O.	Commissioner of Excise.	.....	April 1st, 1912.	Still holds the post.
Provincial	Pandit Ramaballabh Misra.	...	Substantive *pro tempore* Magistrate and Collector, 3rd grade.	April 1st, 1912.	Ditto.
	Babu Manomohan Ray .	...	Officiating Magistrate and Collector.	April 18th, 1912.	April 26th, 1912. Has again been appointed to officiate.
	Babu Banka Bihari Singh	...	Ditto .	May 24th, 1912.	June 23rd, 1912.
	Babu Nagendra Nath Gupta.	...	Ditto .	July 18th, 1912.	July 31st, 1912.
	Babu Sarat Chandra Chatarji.	...	Ditto .	August 28th, 1912.	September 16th, 1912.
	Babu Girindra Chandra Banarji.	...	Ditto .	September 25th, 1912.	October 14th, 1912.
	Babu Jogendra Nath Sarkar.	...	Ditto .	October 10th, 1912.	Ditto.
	Babu Brajendra Nath Ray	...	Ditto .	October 11th, 1912.	Ditto.
			Secretariat.		
Non-Provincial.	Mr. G. F. Smith, a statutory Native of India.	...	Officiating Under-Secretary to Government, Financial and Municipal Departments.	July 27th, 1912.	October 18th, 1912.

In addition to the above the Deputy Commissionership of Angul and the Khondmals, which is practically a district charge and should be recognized as such, was held from April 1st by a member of the Provincial Service, Mr. James Taylor, who is a statutory Native of India. Excluding this appointment, at the present moment two posts of Judge and two of Collector are held by members of the Provincial Service, as against the five posts listed as open to them. It is hoped to make another appointment almost immediately. In this province it is very difficult to find districts which can be placed in charge of officers of the Provincial Service. In most of the Bihar Districts there is a large number of Europeans, and in Chota Nagpur the aboriginal element predominates. A further difficulty is that the Provincial Services are manned mainly by Indians who are not natives of this province.

37962 (35). To what extent also during the last five years have these listed posts been filled —(*a*) by members of the Provincial Civil Service; (*b*) by other "Natives of India"? Please give the names and positions of the latter, if any?—No Natives of India, other than members of the Provincial Civil Service, have held listed posts in this province.

37963 (36). Has the power to fill one-quarter of the listed posts with "Natives of India." other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it

advisable that the power should be utilized and in what directions?—This power has not yet been exercised since the creation of the province. The existing number of listed posts should be kept as rewards for the Provincial Civil Service. Any further local appointments of Natives of India should be made in the manner indicated in the answer to question (10).

37964 (37). Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(*a*) to the members of the Provincial Civil Service; and (*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?—The merging of the inferior "listed" posts in the ranks of the Provincial Service is unpopular with some members of that Service, who consider that since they exercise most of the powers and responsibilities of a Joint Magistrate they should have the same title, and with the public who are interested in these questions, who regard the arrangement as having deprived the officers appointed in India of prize appointments. This however is due to a misunderstanding. The result of the amalgamation was to improve the prospects of the Provincial Service by increasing the number of appointments in the higher grades. The decision to drop the name of "Joint" or "Assistant" Magistrate was based on the desire to avoid complicating the cadre, but this Government would have no objection to the officer in charge of criminal work at headquarters being designated Joint Magistrate irrespective of the service to which he belongs.

37965 (38). Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—Yes; no change appears to be necessary.

37966 (42). Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—If it is the fact that oral examination has been abandoned in the open competition, Government would recommend that it be restored, as a skilled *vivâ voce* examiner readily distinguishes smattering from real knowledge.

37967 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—The system is satisfactory, but the course of probation should be extended to two years. It is very desirable that the course should make provision for training in the principles of law and jurisprudence, for attendance in the Courts and reporting cases, and for a thorough grounding in one or, if possible, two Indian languages.

37968 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—The period of probation should be extended to two years and the course of instruction should be the same as it was prior to 1891. Officers appointed by direct nomination in India should also pass two years at an approved University in England and undergo a similar course of training.

37969 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—Yes.

37970 (46). If so, do you advise the selection of one or more Universities for this purpose and for what reasons?—The University should be a residential one unless the candidate has previously completed the full period of study for a degree at one of the residential English Universities. In this case he might be permitted to follow the course of study at London or any other University which, though non-residential, provides the necessary curriculum.

37971 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—Yes. The allowance should be £200 per annum and the selected candidates should receive a first-class passage to India.

37972 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—Government are entirely opposed to the establishment of a separate institution in England.

37973 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—The principle is sound and should be applied in all cases.

37974 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you?—The course of studies prescribed up to 1891 is considered to have given a very fair preliminary training. The general principles of revenue and tenancy law should be added if possible. It is also highly desirable to encourage all selected candidates to read for the Bar. Government should pay their entrance and calling fees.

37975 (52). In particular, please state your opinion as to the desirability during the period of probation of (*i*) compulsory attendance at

Law Courts in England and reporting of cases; (*ii*) the teaching of Indian law in addition to the general principles of jurisprudence; (*iii*) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (*iv*) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts?—(*i*) Government attach the greatest importance to attendance in the Law Courts in England and to reporting of cases. This would be particularly advantageous to candidates selected in India. (*ii*) The teaching of Indian law in its general principles is essential. (*iii*) It has hitherto been found practically impossible for young civilians after arrival in India to secure suitable tutors for the study of the grammar and composition of Indian languages, and it is therefore essential that these should be properly taught in England. In the stations to which the candidates are appointed on first arrival in India it is very seldom indeed that a qualified teacher of an Indian language is available, and in any case the ground-work of even an Oriental language is better imparted by an European than an Oriental teacher. With this ground-work a young Civilian is well qualified to pick up a colloquial knowledge of the language after his arrival. (*iv*) The subjects in question may be studied with advantage with the exception of accounts, which is a purely technical subject and may be best learnt by actual work in a Treasury.

37976 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—The probationer's course of instruction should certainly be spent in England.

37977 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—As stated in the answer to the last question, all probationers for the Indian Civil Service should undergo a course of two years' training in England. As regards their training in India, Government greatly prefer the present system of training officers in districts under selected Collectors to that in a central institution.

37978 (55). What is your opinion of a proposal that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—The answer to question (54) applies here also.

37979 (56). In the report of the Treasury Committee appointed to consider the organisation of Oriental studies in London (1909) the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district headquarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—It will be seen from the previous answers that this Government are in agreement with the report of the Treasury Committee of 1909. As stated in the answer to question (52), it would be difficult and expensive to obtain qualified teachers in the various subjects, and attendance in the Indian Law Courts would not serve the same purpose as attendance at such Courts in England.

37980 (57). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation you recommend for such officers?—The period of probation should be spent in all cases at a residential University in England.

37981 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty. If so, please state the special arrangements that you recommend?—No differentiation is necessary, but Indians should be required to pass in some suitable vernacular other than their own.

37982 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—A junior Civilian on arrival in India is at once posted to a suitable district under the charge of a Collector carefully selected for the purpose. The latter receives instructions to give him a thorough training in all the departments with which the Collector is himself concerned. At headquarters, besides trying elementary criminal cases, he is by degrees put in subordinate charge of the various offices, and trained in Treasury work. When taken into camp, he is shown how to employ himself usefully while on tour and required to visit in the company of the Collector various public institutions, such as registration offices, schools, pounds, dispensaries, and police stations. Above all, great stress is laid on the importance of teaching him proper behaviour towards Indians of all classes, and the customary modes of address to Indian gentlemen. At the end of his first year in the country the junior Civilian undergoes a course of training in Settlement work in the field; and soon after, if pronounced fit, receives charge of a sub-division. Subject to the remarks made elsewhere about the training of officers for judicial work, the present arrangements appear to be suitable.

37983 (61). Is the existing system of departmental examinations suitable, and, if not,

what change do you recommend?—The rules have been carefully revised and recast since the formation of this province, and it is believed the present arrangements will work satisfactorily. A copy of the new rules* is being separately submitted. It will be noted that in addition to the papers in law, owing to the absence of any system of reporting cases in England, young officers are required to prepare a full, complete and careful record of six cases tried by a first-class Magistrate and six defended cases tried by a Sessions Judge.

37984 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—It cannot be denied that in the Service as a whole the knowledge of the Indian languages possessed by its members is less than it used to be; but this general statement does not apply to officers in sub-divisions and on Settlement duty or other work which brings them into daily contact with the people. As a matter of fact, so long as an officer is employed in the management of a sub-division or on Settlement duty he is probably as well acquainted with the colloquial vernacular as his predecessors were. It is as he advances in service that his knowledge of the vernacular becomes less fluent and ready, and it is doubtful whether in this respect any difference has taken place within recent years, *i.e.*, since the general introduction of the English language into office procedure. The causes which militate against officers keeping up the knowledge of the vernacular which they possessed in their early years are as follows:—All office work is carried out in English, and the vernacular register and the Hindi or Uriya-speaking clerk are things of the past. The educated classes with whom officials are most brought into contact prefer to speak in English. Tours in the mufassal when officers have opportunity to converse with the agricultural classes are intermittent, while excessive work leaves little time for study. In Bengal the existence of three distinct vernaculars in different parts of the province accentuated these difficulties and they will be somewhat less acute in Bihar and Orissa. Other reasons are that officers arrive in India older than before and with less grounding in the languages; they take more leave than formerly and settle down less; and they are more frequently transferred from district to district. In order to improve their knowledge of the language, the departmental examinations have been altered so as to include the study of simple vernacular books, and revised rules have been recently proposed by the Government of India instituting a Proficiency examination to bridge the gap between this test and that of the High Proficiency, increasing the rewards for the High Proficiency examination and the Degree of Honour, and providing for the grant of study leave to prepare for them.

37985 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and, if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—Government recommended the following course of training:—(*a*) During the two years' probation in England all candidates should study the law course prescribed before 1891. They should attend the law Courts and report cases and be encouraged to read for the Bar, to keep their terms and to pass all the examinations for a call. Those who are actually called to the Bar before coming out to India should receive their call fees from Government. (*b*) On coming out to India all officers should be employed in the general line for about 4 years, during which period they should undergo a training in survey and settlement and should hold charge of one or more sub-divisions. (*c*) After the fourth and before the end of the sixth year a choice should be made between the executive and judicial line, and those selected for the latter branch should be vested with the powers of a Munsif in addition to their other duties. After trying original suits for a year or two they should be promoted to be Assistant Civil and Sessions Judge and try original suits and simple appeals from Munsifs as well as such criminal work as the District Judge assigns to them. By the time an officer has qualified for his first furlough, that is after 8 years' service, he should proceed to England on furlough, one year being counted as study leave to be spent with a selected Barrister in Chambers. (*d*) During this period an allowance of £200 in addition to furlough pay should be given to the candidate conditionally on his being called to the Bar (if he has not already been called) and obtaining a satisfactory certificate from the Barrister with whom he has read. Government should also pay the Barrister's fees and the call fee in cases where the candidate has not been called already.

37986 (66). Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch? If so, please give details?—Yes, see answer (64).

37987 (67). Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?—No. The arrangements proposed elsewhere for the training of judicial officers are sufficient.

37988 (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other

* *Vide* Appendix I.

natural-born subjects of His Majesty?—No differentiation is thought necessary.

37989 (72). The present theory underlying the conditions of service in the Indian Civil Service is that—(*a*) the members of the Service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 per mensem, is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—This Government accept the system and consider that the period of eight years is suitable. No alteration would be necessary if the age of recruitment were lowered.

37990 (73). It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior posts," and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 per mensem. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?—The arrangement is suitable.

37991 (74). Please show in a tabular statement for the last five years, quarter by quarter, with footnotes, giving the names, the total nett number of officers who have failed to obtain promotion in accordance with the principles set out in the preceding questions, and say whether any inconvenience, and, if so, what, has been caused thereby to the Administration?—Exclusive of officers on leave and on foreign service, the statement for this province is as follows:—

Superior Posts.

	Number of officers of 8 years' service and over not holding superior appointments.	Number of officers of less than 8 years' service holding superior appointments.	Nett number of officers not holding superior appointments.	REMARKS.
1	2	3	4	5
As on 1st January 1913 . .	8	...	8	
As on 1st October 1912 . .	2	4	...	An excess of two.
As on 1st July 1912 . . .	4	4(*a*)	...	(*a*) Excluding Mr. M. G. Hallet who was acting as Junior Secretary to Board of Revenue in Bengal.
As on 1st April 1912 . . .	4	2(*a*)	2	

1st January 1913.	1st October 1912.	1st July 1912.	1st April 1912.
1. Mr. M. K. Deb (1899) . .	1. Mr. M. K. Deb (1899) .	1. Mr. M. K. Deb (1899) .	1. Mr. M. K. Deb (1899).
2. Mr. G. Milne (1901) . . .	2. Mr. G. Milne (1901) .	2. Mr. G. Milne (1901) .	2. Mr. P. W. Murphy (1900).
3 Mr. F. M. Luce (1901) . .	.....	3. Mr. A. H. Ley* (1903)	3. Mr. A. H. Ley* (1903).
4. Mr. J. A. Hubback (1902) .	.....	4. Mr. A. W. Barnicott (1903).	4. Mr. A. W. Barnicott (1903).
5. *Mr. H. K. Briscoe (1903) .	.....	.....	.....
6. Mr. J. F. W. James (1903) .	.....	.....	.....
7. Mr. B. A. Collins (1904) .	.....	.....	.....
8. Mr. A. E. Scroope (1904) .	.....	.....	.....

* Serving under the Government of India. As Under-Secretary Mr. Ley drew Rs. 1,300.

As regards inferior posts it is perhaps sufficient to say that practically all officers who have completed two years' service have officiated continuously in inferior appointments. The state of the cadre is thus very nearly normal and no inconvenience has been caused to the administration. The figures for January 1st, however, are not satisfactory. As will be seen from the statement given in answer to question (84), the actual distribution of officers throughout the cadre is about normal, and officers with eight years' service should not have reverted from superior posts if the statistics on which the theory of recruitment is based were correct. The explanation may probably be found in the table appended to answer (106), which shows that more senior men are on duty during the cold weather than was the

case formerly, so that even if the state of the cadre is quite normal, promotion must fall short of the previous expectation.

37992 (75). Please now see the statement marked AA and the list marked—*Bihar and Orissa=G*, which have been reproduced in Appendix VII to these questions, and say whether they are correct for your province. If not, please state what amendments are necessary?—The statement AA is correct for this province. With reference to list G, the following comments are necessary:—(*i*) There are *three* posts of Under-Secretary *inclusive* of the one listed post, or two *exclusive* of that appointment. The statement as it stands is incorrect in this respect. (*ii*) The posts of Joint Magistrate and Deputy Collector actually sanctioned as a permanency are 19, *viz.*, 10 in the first grade and 9 in the second. Owing to the addition of a post of Member of the Board of Revenue to the cadre since April 1st, the proper number of appointments is that shown in the statement, but specific sanction to the increase of one permanent appointment in the second grade has not yet been received.

37993 (76). Is any difficulty experienced by the Administration in working with the number of superior posts shown in the list for your province? Do all the posts entered as superior carry a salary of more than Rs. 1,000 *per mensem*, and are they all such as are ordinarily held by officers in the Indian Civil Service? If not, what changes, if any, do you suggest?—(*i*) Subject to the answer given to question (80) no special difficulty has been experienced in working with the sanctioned number of superior posts. New posts are created from time to time as necessity arises, and two such cases are now awaiting the orders of the Government of India. (*ii*) The existing superior posts all carry a salary of more than Rs. 1,000 per mensem.

37994 (77). Does the number of superior posts shown as held directly under the Government of India correspond with the actual experience of the last five years? If not, please give particulars of the discrepancies, and say whether you consider any change of practice in this respect to be desirable. Attention is invited in this connexion to List J in Appendix VII to these questions?—The number of superior posts held directly under the Government of India by officers whose names are borne on the cadre of Bihar and Orissa is six, *viz.*:—

1. The Honourable Sir R. W. Carlyle, K.C.S.I., C.I.E.	Member of the Executive Council of the Governor-General.
2. The Honourable Sir E. G. Colvin, K.C.S.I.	Agent to the Governor-General in Rajputana and Chief Commissioner of Ajmer-Merwara.
3. The Honourable Sir W. H. H. Vincent, Kt.	Secretary to the Government of India in the Legislative Department.
4. Mr. C. A. Bell . . .	Political Officer in Sikkim.
5. Mr. E. H. Kealy . . .	Political Agent, 3rd class.
6. Mr. A. H. Ley . . .	Under Secretary to the Government of India in the Department of Commerce and Industry.
7. Mr. H. F. Lindsay . . .	

All these appointments have been held continuously since the creation of this Province.

37995 (78). Does the number of superior posts allowed for temporary appointments and deputations correspond with the actual experience of (say) the last five years? If not, please give particulars of the discrepancies and say whether you consider any change of practice in this respect to be desirable?—At the rate of 4 per cent. on the sanctioned posts, 2 is the number of superior posts allowed for deputation and temporary appointments in Bihar and Orissa—*vide* answer to question (73). The actual number of officers on deputation or holding temporary appointments that may be classed as superior is as follows:—

On 1st April 1912.	On 1st July 1912.	On 1st October 1912.	On 1st January 1913.
Mr. R. Nathan.	Mr. R. Nathan.	Mr. R. Nathan.	Mr. R. Nathan.
Mr. D. Weston.	Mr. D. Weston.	Mr. R. L. Datta.*	Mr. R. L. Datta.*
Mr. C. H. Reid.	Mr. C. H. Reid.		Mr. N. K. Datta.*
Mr. R. L. Datta.*	Mr. R. L. Datta.*		Mr. J. A. Hubback.

* Member of the Provincial Civil Service holding a listed post.

The average number of officers so employed was therefore 3·5, but the circumstances so far have been somewhat exceptional. Mr. Nathan was on deputation in Bengal and not in this Province. The Lieutenant-Governor in Council considers an allowance of 2 sufficient.

37996 (79). Does the arrangement by which officers, recruited against temporary superior posts, are shown in the lowest grade, work satisfactorily? If not, what change of practice appears to you to be necessary?—The arrangement is satisfactory.

37997 (80). Does the allowance of 39 per cent. on the number of superior posts give the right number of junior officers for the work of the administration of your province? If not, please state what excess or deficiency in your opinion exists, giving your reason in detail?—The number of inferior appointments is fixed solely on actuarial grounds and without reference to administrative needs. Even in the old province of Bengal difficulty was always experienced in working with the number of posts of Joint Magistrate thus determined; and in order to obtain a larger number of officers for the inferior posts without detriment to the prospects of the Service, a proposal was made in 1907 that a grade of Joint Magistrates on Rs. 1,200 per mensem should be created. This was negatived, but a number of posts of Joint Magistrate above the recognised actuarial proportion was sanctioned as a temporary expedient. The difficulties felt in Bengal are even

more acute here. Most of the stations to which it was said in 1907 that it was essential to post members of the Indian Civil Service are in districts which are now included in this province, while the number of officers available to fill them is proportionately smaller. Nevertheless on the creation of the province orders were issued that the excess inferior appointments were to be absorbed. The Local Government have accepted the orders for the time being, but have reserved the right to reopen the question should experience prove it to be necessary.

37998 (81). Junior officers are considered to be under training during the first two years of their service. Does this approximate to the actual conditions? If not, what alteration is necessary in the percentage of 15·5 allowed for training?—Junior Civilians after completing their settlement training are generally posted to sub-divisions after about 18 months' service; but, on the whole, no alteration in the present percentage is necessary.

37999 (82). Does the leave allowance of 32·7 per cent. for superior posts, 6·7 per cent. for inferior posts and 6 per cent. for training posts approximate to the actual conditions? If not, please state what alteration is desirable?—The statement given below shows the number of officers of each class who should have been absent on leave in Bihar and Orissa at the beginning of each quarter of the last twelve months according to these calculations, and the number who were actually absent:—

STANDING OF OFFICER.	NUMBER ON LEAVE.							
	1st April 1912.		1st July 1912.		1st October 1912.		1st January 1913.	
	Normal.	Actual.	Normal.	Actual.	Normal.	Actual.	Normal.	Actual.
1	2	3	4	5	6	7	8	9
Over 8 years' service . . .	17·9	7	17·9	11	18·3	16	18·3	7
Over 2 years' and up to 8 years' service.	3·6	1	3·6	5	3·7	6	3·7	3
Less than 2 years' service . .	·3	*Nil*	·3	*Nil*	·3	*Nil*	·3	*Nil*
TOTAL .	21·8	8	21·8	16	22·3	22	22·3	10

The year 1912 was abnormal, because many officers serving in Bihar and Orissa refrained from taking leave while the distribution of the cadre between the two provinces was under consideration. An examination of the statistics for 1911 in old Bengal shows that conditions in that year were more or less normal. Under Article 309 of the Civil Service Regulations there is a limit of 20 per cent. to the number of members of the Service who may be absent on furlough at one time except on medical certificate or urgent private affairs, and it is a matter of common experience that furlough up to this maximum usually has to be granted, at any rate during the hot weather months. Absences on privilege leave only during the hot weather are also common and the number of officers absent from duty during part, at any rate, of this season, will usually exceed the normal proportion. As a rule, however, privilege leave is not taken during the cold weather and the number of officers absent on furlough is less then than formerly. Hence the total average number is fairly well maintained. The distribution of absentees over the Service is, however, probably not quite the same as formerly, partly owing to the practice which has recently sprung up of officers with less than eight years' service proceeding to England on three months' leave on urgent private affairs combined with a similar period of privilege leave, and partly because senior men are less able to afford to take prolonged leave on the present furlough allowances.

38000 (84). Does the theoretical strength of the Service correspond ordinarily with its actual strength? If not, please state the facts and, in particular, offer any remarks which may suggest themselves with regard to the existing discrepancy shown in the statement marked BB which is included in Appendix VII to these questions?—The actual strength of the Service on October 1st, 1912 (which has been taken as a convenient date) was 108 against a sanctioned strength of 109. The subjoined statement worked out on the basis of Mr. O. T. Barrow's standard tables shows the actual as compared with the normal distribution of officers in the Service:—

YEAR OF SERVICE.	NUMBER OF MEN IN SERVICE.			
	Normal.		Actual on October 1st, 1912.	
	Yearly number.	Progressive.	Yearly number.	Progressive.
Above 35 =	·3	...	..	...
35 =	·6	·9	2	2
34 =	·7	1·6	1	3
33 =	·9	2·5	...	3

YEAR OF SERVICE.		NUMBER OF MEN IN SERVICE.			
		Normal.		Actual on October 1st, 1912.	
		Yearly number.	Progressive.	Yearly number.	Progressive.
32	=	1·0	3·5	1	4
31	=	1·2	4·7	...	4
30	=	1·4	6·1	1	5
29	=	1·6	7·7	1	6
28	=	2·0	9·7	4	10
27	=	2·3	12·0	...	10
26	=	2·7	14·7	2	12
25	=	3·0	17·7	4	16
24	=	3·0	20·7	2	18
23	=	3·1	23·8	2	20
22	=	3·2	27·0	4	24
21	=	3·3	30·2	2	26
20	=	3·3	33·6	...	26
19	=	3·4	37·0	5	31
18	=	3·5	40·5	3	34
17	=	3·5	44·0	7	41
16	=	3·7	47·7	5	46
15	=	3·7	51·4	5	51
14	=	3·7	55·1	3	54
13	=	3·8	58·9	5	59
12	=	3·9	62·8	4	63
11	=	3·9	66·7	3	65
10	=	4·0	70·3	2	68
9	=	4·0	74·4	4	72
8	=	4·1	78·5	3	75
7	=	4·1	82·6	3	78
6	=	4·3	86·9	4	82
5	=	4·3	91·2	6	88
4	=	4·4	96·5	4	92
3	=	4·4	100·0	5	98
2	=	4·5	104·5	5	102
1	=	4·5	100·0	6	108

It will be seen that the actual distribution is as nearly normal as it is ever likely to be in any service.

38001 (85). Do you consider that the present system of a quinquennial examination of the conditions of service is adequate to regulate the rate of recruitment and flow of promotion? If not, what alterations do you recommend?—A quinquennial examination is sufficient.

38002 (86). State the principles on which the annual indent for recruitment to the Indian Civil Service is regulated. Do you consider that accurate results are attained thereby? If not, what alterations do you recommend?—In preparing the annual indent of Indian Civilians to be recruited for Bihar and Orissa in any one year, the actual strength of the cadre on the 1st July of the preceding year is taken. As the recruits will not arrive in India till late in the next year, there will be an interval of at least two years between the 1st July of the preceding year and the date of their arrival. By that time the cadre as it stood on July the 1st of the preceding year will theoretically have been depleted by two years' decrement, *i.e.*, by 8·34 per cent. This figure is deducted from the actual strength as it stood on July the 1st of that year, and the number of recruits who arrived at the end of the preceding year and are due to arrive in the present year are added. The net result is the number of officers who it is anticipated will be in the Service on the 1st July of the succeeding year; and this when compared with the sanctioned strength gives the anticipated excess or deficiency in the cadre on that date. The number of recruits required is then calculated by adding to or subtracting from the number required to make good the authorised rate of decrement 30 per cent. of the anticipated deficiency or excess in the sanctioned cadre on July the 1st of the succeeding year. The system is satisfactory, and no alteration is suggested.

38003 (87). Are you satisfied that under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—This Government are in favour of the proposals contained in the report submitted by the Government of Bengal in connection with the report of the Royal Commission on Decentralisation. The Lieutenant-Governor in Council considers it of great importance that the Secretary of State should declare his intention of giving pensions on a fixed scale to officers who are compulsorily retired on the ground of unfitness for the post of District Magistrate or District and Sessions Judge.

38004 (88). To what extent are the functions of the Officers of the Executive and Judicial Branches of the Indian Civil Service differentiated? Is any change desirable, and, if so, in what directions?—The functions of the Executive and Judicial branches of the Indian Civil Service are differentiated entirely in the case of District and Sessions Judges on the one hand and of Magistrates and Collectors on the other. The former, who select the Judicial Branch after completion of the 12th year of service, perform exclusively the functions indicated by their title. They are responsible for their judicial work solely to the High Court with whom they correspond direct on all matters concerning it, and they are the direct supervisors of the Subordinate Judges and Munsifs who administer civil justice. They also hear all appeals from the decisions of Magistrates of the 1st class and have revisional powers under section 435, Civil Procedure Code, over the proceedings of all Magistrates. Their promotion, transfer, and appointment are made after consultation with the High

Court, whose recommendations are in practice always accepted. On the Executive side, officers superior to the rank of District Magistrate and Collector perform no judicial functions whatever and have no judicial powers of any kind. The District Magistrate and Collector, apart from his duties as Collector of Revenue, Chairman of the District Board, and District Registrar, is recognised under the Criminal Procedure Code and the Police Act as responsible for the peace of the district and is the superior, in all but purely departmental matters, of the Police from the Superintendent downwards. He also under the Criminal Procedure Code exercises the full powers of a Magistrate of the first class, including those of taking cognisance of offences whether on a complaint before himself or another Magistrate, or on information to the Police or otherwise. He has the power to hear appeals from Magistrates of the second and third classes. He can also call for the record of any case disposed of by a Subordinate Magistrate and either refer it to the High Court for orders or, in certain cases, order a committal to the Court of Sessions for a further enquiry. Lastly, he can, on due cause being assigned, transfer a case from the file of any Subordinate Magistrate to his own file or to that of another subordinate Court. In practice the District Magistrate very rarely tries a criminal case himself. The Subordinate Magistrates, whether of the Indian or of the Provincial Civil Service, are not exclusively employed on criminal judicial work; they also exercise various revenue and executive functions. They have no control over the Police, but Magistrates of the first class exercise under the Criminal Procedure Code certain preventive powers similar to those exercised by a Justice of the Peace in England. Government do not consider any change necessary in this Province except that indicated in the answer to question (64) with the object of improving the efficiency of officers who have chosen the judicial branch.

38005 (89). Have you any other suggestions to make under this head which are not covered by your answers to the above questions and to the questions under the heads relating to salary, leave, and pension?—In this province as in old Bengal a certain number of posts have been added to the grades of Magistrates and Collectors to provide for certain superior posts, *viz.:* the Commissioner of Excise, two Secretaries to Government, the Director of Land Records and Agriculture, the Registrar of Co-operative Societies, the Political Agent for the Feudatory States, and two Settlement Officers. Formerly these posts, which are known as "staff posts," were treated exactly as if they were local or district charges. They might or might not be held by a substantive Magistrate or Collector, but, if the holder was not of that substantive rank, he drew officiating pay, while substantive promotion to the grades was given by seniority in the ordinary way. In March 1911, however, orders were received that in future unless "staff posts" were held substantively by the officers employed in these special appointments they must remain vacant. But it was added that the Local Government might give substantive promotion to these posts to a junior officer out of his turn if it considered him the most suitable person for the appointment. The Lieutenant-Governor in Council takes strong exception to these orders. In cases where a junior officer is selected it does not appear just to deprive the senior officiating Magistrate and Collector of the pay and allowance which he has earned by good work in some other line of public utility. The selected junior officer receives a substantial increase of emoluments in the shape of officiating pay and an opportunity of securing distinction, and it is not clear why he should receive substantive promotion to the rank of Magistrate and Collector any more than an officer appointed to officiate in a difficult and important district. To give him substantive promotion out of his turn to the grade of Magistrate, to which promotion has hitherto been given practically by seniority, would occasion heart-burning and dissatisfaction. Further, the enforcement of the orders of the Government of India may entail the reversion of an officer already promoted as the following concrete case will show:—Suppose that A, B, C, and D are the four last officers in the grades of Magistrates, of whom A is Director of Agriculture, and that E, F, G and H are the four senior officers in the first grade of Joint Magistrates, that A desires to go on leave or revert to a district and that the Local Government decides that H is the most suitable person to succeed him: it is obvious that if H is appointed, D must, as the orders stand, revert to the grade of Joint Magistrates. In such a case the Local Government might often find themselves obliged to select a less qualified senior officer as a lesser evil than the discontent to which the appointment of a more capable junior might give rise.

38006 (90). Please see the two statements contained in Appendix VIII to those questions showing the various rates of pay drawn by officers holding posts in the Indian Civil Service Cadre and the grading of each class of post for the different provinces, and say whether they are correct for your province?—The statements are correct subject to the following remarks:—(*i*) There are three Secretaries to Government, of whom the Chief Secretary draws Rs. 3,000 *per mensem* and the other two their grade pay only. (*ii*) So far as Bihar and Orissa is concerned the heading of the last column in Statement DD should be "grades of Rs. 400 and over." Assistant Magistrates begin on Rs. 400 and do not rise to Rs. 500 until they have passed their Departmental Examinations. (*iii*) In both statements the number of Joint Magistrates in the second grade is shown as 10. The present sanctioned number is 9; *vide* answer to question (75).

38007 (91). Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Service authorised on the 1st April of each of the following years: 1860, 1870, 1880, 1890, 1900 and 1912?—The statement below gives the in-

formation required for the 1st April 1912. No other information is available:—

Nature of posts.	Number.	Pay (per mensem).	Remarks.
		Rs.	
Lieutenant-Governor	1	8,333⅓	
High Court Judges .	2	4,000	
Members, Board of Revenue.	2*	3,500	
Chief Secretary to Government.	1	3,000	
Commissioners of Divisions.	5	2,916⅔	
Inspector-General of Police.	1	2,500-100-3,000	
District and Sessions Judges.	2	3,000	
	5	2,500	
	5	2,000	
Magistrates and Commissioners.	9	2,250	
	10	1,800	
	10	1,500	
Under Secretaries to Government.	2	1,000	
Joint Magistrates .	10	900	
	9	700	
Assistant Magistrates	32	400-500	

* With the creation of an Executive Council one appointment of Member of the Board of Revenue has been abolished and two appointments of Members of the Council have been added, the pay of which is Rs. 5,000 per mensem.

38008 (92). Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—The present rates of pay were fixed many years ago. Since then the value of the rupee has fallen and prices have risen greatly. The grant of exchange compensation allowance in 1893 provided only a partial remedy, and there is a general feeling in the Service that an enhancement of the rates of pay is needed, such as has been effected in various other services. The pay drawn by junior officers in particular is inadequate. It should rise by a time-scale to Rs. 1,000 at the end of the eighth year of service. If a general revision of pay is decided on, the Lieutenant-Governor in Council thinks that the best plan would be to introduce a time-scale for all officers below the rank of Commissioner or first grade Judge, adding to the rate of pay thus settled a fixed allowance for the charge of certain appointments as explained further on.

38009 (93). If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts or to both?—This general feeling is that an all-round increase of pay is needed, but especially in the lower grades.

38010 (94). Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your Province, and if so, what?—Although it has never been admitted that equal rates of pay for similar kinds of work in different provinces should be given, there has always been a decided tendency towards uniformity. Theoretically local conditions should, to some extent, determine rates of pay, but from the broad point of view that the service is an Imperial service and that recruits for all provinces are obtained in the same manner, any violent variations are undesirable.

38011 (95). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—The need for compensation on account of the fall in the value of the rupee is as great as ever but now that the value of the rupee is fixed, it would be simpler and more logical to abolish the separate exchange allowance and make a corresponding increase in the rates of pay.

38012 (96). If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?—The officers of Indian domicile should get the benefit of the revised rates of pay. Their expenses also have risen greatly of late years, and they generally endeavour to give their children an English education. Also it is not desirable to distinguish between members of the same service.

38013 (97). How does the system of acting allowances work in the case of officers selected to officiate in appointments involving increased responsibility? Is it productive of any inconvenience and have you any suggestion to make on the subject?—The existing rules have not produced inconvenience, but it would be fairer if officers holding charge of appointments involving increased responsibility were allowed to draw the full pay or charge allowance attached to them.

38014 (98). How is the system of officiating grade promotions, where there is no change of duties, actually worked? Is the system convenient in the interests both of the Government and of the officers of the service? Have you any recommendations to make for its alteration?—(*i*) The officiating grade promotions are worked out in the Secretariat and eventually checked from the scale lists maintained by the Accountant-General. This system involves a considerable amount of work in the Secretariat, and as calculations can only be undertaken at intervals, there is often unavoidable delay in announcing both promotions and reversions. In the former case, the delay does not produce much inconvenience, but reversions announced several months after they have taken place undoubtedly cause hardship.

The system has, however, a historical basis and the service prize it as a valuable right. It could not be abolished without compensation in some form; and unless a time-scale is introduced, the Lieutenant-Governor in Council is of opinion that it should be retained.

38015 (99). What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the service or not?—The substitution of a time-scale for the present graded system seems very desirable. The advantages of a time-scale are well known. The element of chance is eliminated, as each officer will know the exact amount of pay which, subject always to approved work, he will receive as a minimum during each year of his service. Inequalities of promotion in different years and in different provinces are to a great extent removed. A block in promotion gives rise to justifiable complaints which can only be met by the unsatisfactory device of personal allowances but which, if not met, are liable to prejudice recruitment. In the next place, excessive recruitment in any year or period of years cannot, as at present, result in a block in promotion, except towards the end of an officer's career. The pay of each officer is personal, dependent only upon length of service and good work. He is no longer, save as regards higher appointments, dependent upon the movements of others. It is perhaps unnecessary at this stage to formulate a definite scheme, but the main principles would be (*i*) annual increments up to the end of the 20th year of service; (*ii*) fixed additional allowances to officers holding certain appointments, such as a sub-division, the charge of a district, a Judgeship of the 2nd or 3rd grade, and an Under Secretaryship or Secretaryship to Government or the Board of Revenue; (*iii*) the higher appointments such as Chief Secretary, Commissioner, or 1st grade District Judge to carry fixed pay outside the time-scale and officers acting in them to receive a fixed allowance in addition to their time-scale pay.

38016 (101). What is your experience of the practical working of time-scales of pay in other Indian services?—Time-scales are in force in the Political, Forest Service (Imperial and Provincial), in the Indian Educational Service, in the Public Works Department and in the Medical Department (Assistant Surgeon). The system, it is understood, works well.

38017 (102). If you recommend any system of time-scale of pay, please describe it, and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances, and other matters of importance. How do you propose to apply such time-scale in provinces where the scale of pay of the judicial and executive branches of the service is different?—Answered under question (99). The fact that a number of officers are employed in judicial work does not appear to be any reason why a time-scale should not be introduced if appropriate allowances are attached to District Judgeships and if a limited number of Judgeships are kept outside the time-scale.

38018 (103). If you are in favour of a time-scale of pay, how would you secure that the recruitment of junior officers is restricted to the number likely to be promoted in a reasonable time to posts of independent responsibility, and do you or do you not consider it desirable that all members of the Indian Civil Service should have the prospect of rising to such posts within a fixed time?—It is certainly desirable that members of the Indian Civil Service should be promoted within a reasonable time to posts of independent responsibility, but the substitution of a time-scale for the graded system would not prevent this, as the number of such posts would remain the same under either system and the number of recruits would as at present be calculated on probable casualties. If that calculation were inaccurate the error would to some extent be rectified under a time-scale, as even if an officer did not hold charge of a district within a reasonable time his pay would still increase automatically.

38019 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?—The arrangement is generally suitable. But if an officer of the Statutory or Provincial Service is promoted to one of the higher appointments, such as a Commissionership, the Lieutenant-Governor in Council considers that he should draw the same pay as an Indian Civilian would get. It is essential that officers holding these posts should keep up a proper style of living, and this they would be unable to do on a reduced rate of pay. If a time-scale be introduced, it is recommended that officers of the Statutory and Provincial Services draw two-thirds of the Civilians' pay under that scale and the full charge allowances which it has been proposed [*see* answer to question (99)] to attach to certain appointments.

38020 (105). Have you any other proposals to make in regard to the conditions of salary not covered by your answers to the above questions?—In this province, the Civil Secretaries to Government (with the exception of the Chief Secretary) and the Commissioner of Excise draw only their grade pay, while the Directors of Land Records and Agriculture and the Registrar of Co-operative Societies receive a local allowance of Rs. 150 per mensem. The duties of a Secretary to Government are far more onerous and responsible than those of these officers. In Bengal the appointment has always carried a special rate of pay (formerly Rs. 2,916⅔, now Rs. 2,750), but under the arrangement sanctioned for this province, it is possible for a Secretary to draw only Rs. 1,500, or even less in the case of an officiating incumbent. It cannot be expected that the best

officers will willingly come forward to accept appointments which involve specially arduous work and responsibility as well as increased expenditure owing to the necessity for keeping up two houses. The Lieutenant-Governor in Council is emphatically of opinion that, so long as the present system of pay remains in force, the two junior Secretaries to Government should receive a local allowance of Rs. 250 per mensem. Nor is there any reason why the Commissioner of Excise should be treated worse than other Heads of Departments. Next to the Police this is the most important of all the Departments; and in this province the Commissioner of Excise is also Inspector-General of Registration. The Lieutenant-Governor in Council considers that he should receive an allowance of Rs. 250 per mensem as in Bengal. The Department of Land Records is also a very important one. The work is heavy and involves an exceptional amount of touring. This Government are of opinion that the Director should draw the same allowance as has been recommended above for the Commissioner of Excise. The Lieutenant-Governor in Council has already pressed these views strongly on the Government of India.

38021 (106). Is there any reason to suppose that officers of the Indian Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—The statement overleaf has been compiled from old Civil Lists. The rules allowing privilege leave to be combined with furlough came into force in 1902. As a result of this, and probably also of a rise in the cost of living at home which has made furlough allowances less adequate, the average amount of furlough now taken at one time is less than it used to be, though the number of officers who go on leave remains fairly constant. The net result is that the average number of senior officers on leave in the cold weather is less than formerly.

24th March 1913.] MR. H. LEMESURIER. [*continued.*

NATURE OF LEAVE.	1896. (a)						1902.						1907.						1911.					
	Actual strength.	Number of officers on leave.	Percentage.	Number of officers actually proceeding on leave during the year.	Average amount of leave granted to each officer in column 10.	Average amount of leave Granted to each officer in column 15.	Actual strength.	Number of officers on leave.	Percentage.	Number of officers actually proceeding on leave during the year.	Average amount of leave Granted to each officer in column 20.	Average amount of leave granted to each officer in column 25.	Actual strength.	Number of officers on leave.	Percentage.	Number of officers actually proceeding on leave during the year.	Average amount of leave granted to each officer in column 5.	Average amount of leave Granted to each officer in column 25.	Actual strength.	Number of officers on leave.	Percentage.	Number of officers actually proceeding on leave during the year.	Average amount of leave granted to each officer in column 25.	
1	2	3	4	5	6	11	12	13	14	15	16	16	17	18	19	20	21	26	22	23	24	25	26	
					Mos. D.	Mos. D.					Mos. D.	Mos. D.					Mos. D.	Mos. D.					Mos. D.	Mos. D.
Furlough	239	24	10·04	18	10 26	11 29	270	39	14·44	16	7 11	7 23	244	33	13·54	17	7 8	7 23	181	47	25·9	23	7 23	
Furlough on medical certificate.		6	2·51	2	10 0	11 5		2	·74	2	5 10			3	1·76		...			1	...		...	
Special leave		2	·83	2	5 12	5 12		9	3·33	8	3 17	5 12		6	3·53	6	3 7	1 12		1	...	1	5 12	
Privilege leave		49	20·5	43	2 6	2 12		61	22·6	53	2 0	2 12		40	23·5	35	2 2	2 12		55	30·3	43	2 2	

(a) The quinquennial year should be 1897, but as 13th was a famine year the year 1896 has been considered.

38022 (107). Is all the leave on full pay due to them ordinarily taken by officers of the Indian Civil Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—Now that privilege leave can be combined with furlough, it is, as a rule, taken by itself only when an officer is unable to go on furlough or for special reasons. It rarely happens that privilege leave, which can be accumulated up to a total of three months, is allowed to lapse. Such leave for short periods in India is rarely or never refused to officers, as it is nearly always possible to make local arrangements for their work. No change is needed in the amount of this leave which can be earned or accumulated.

38023 (108). Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—This Government are not in a position to give accurate figures, but it is clear that the tendency in recent years is for senior officers, at any rate, to take less furlough than formerly. It has to be remembered that while on furlough the full pension and family deductions are made so that an officer drawing nominally the maximum furlough allowance of £1,000 a year often receives only about £800. The Lieutenant-Governor in Council considers that the leave rules should be simplified by the removal of all the present restrictions, and furlough allowances increased, *vide* subsequent answers.

38024 (109). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—Furlough allowance is under Article 314 of the Civil Service Regulations fixed at half the average salary (as defined in Article 16) of the officer with a maximum and minimum. It is undoubtedly the case that these allowances, if not supplemented by savings, are insufficient to cover passage-money and expenses incurred during furlough. This is largely due to an increase in the cost of living and the difficulty would be met if a general increase in the rates of pay, suggested in the answer to question (92), were sanctioned.

38025 (110). Do you recommend any change in the concession, granted in 1893, under which leave allowances, expressed in rupees, other than privilege leave allowances issued at the Home Treasury, or in a colony with a gold standard of currency, are issued in sterling at the privileged rate of exchange of 1*s.* 6*d.* the rupee?—No change is recommended.

38026 (111). Do you consider that the maximum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative rates fixed in sterling and in rupees, and if so, what change?—The minimum is suitable, but some increase in the maximum would be keenly appreciated by members of the Service. In the latter years of service the leave allowance of £1,000 (with deductions) is considerably less than half salary and expenses on leave are much greater than after retirement. A maximum of £1,250 would be suitable.

38027 (112). Have you any recommendation to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—The present conditions are generally suitable.

38028 (113). Generally speaking do any of the present leave rules applicable to the Indian Civil Service cause inconvenience to the Administration, and if so what, and what remedy do you suggest?—Local Governments have recently been addressed by the Government of India on the subject of the simplification of the leave rules. By removing certain restrictions regarding the grant and combination of leave, the revised rules would be more elastic and would probably result in increased administrative efficiency, as excessive transfers would be avoided. So far as members of the Service are concerned, the removal of the restrictions as to the intervals at which leave may be taken, and as to the combination of leave, would be welcomed.

38029 (116). Do the present leave rules applicable to Statutory Civilians, or to officers of the Provincial Civil Services employed in listed posts, cause any inconvenience to the Administration, or press hardly on the officers themselves, and in what respects? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—No inconvenience is experienced. Having regard to the fact that the two services are recruited from different sources a distinction is not inequitable.

38030 (118). Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—The system is generally satisfactory subject to the answers given to questions (121) and (122).

38031 (119). Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—The comparative merits of the present system and of a non-contributory system of superannuation pension must depend entirely upon the maximum fixed. If the general provisions of Article 474, Civil Service Regulations, were applied to the Indian Civil Service, an officer who retired after 25 years of completed service as a first grade Magistrate and Collector would have earned a monthly pension of thirty-sixtieths of Rs. 2,250, and this converted at the privileged rate of 1*s.* 9*d.* (which Lord Inchcape's

Committee did not propose to alter in the case of other services) would be equivalent to a sterling pension of £1,181 per annum. But as, *ex hypothesi*, deductions would no longer be made, the annuity value of the aggregate contributions now paid must be taken into account. In the earlier correspondence on the subject, mention is made of £500 and £400 as the portion of the pension contributed by the officer, but this includes contributions made by those who die before retirement and of those who serve for more than 25 years. The annuity value of the contributions levied from an officer whose total service amounted to 26 years of which 21 years are active service is much less than this and lies between £100 and £150. If therefore the present maximum of £1,000 be retained, a non-contributory system of superannuation pensions might reasonably be adopted; and it would certainly be welcomed by members of the Service. Having regard to the pensions earned in other services this maximum is not unreasonable. It is suggested, therefore, that the contributions towards pension should be abolished and further that members of the Service should be admitted to the benefits of the General Provident Fund. These contributions, which would accumulate at compound interest, would stand at the credit of the subscriber and would be available for payment to the subscriber or his heirs at retirement or death and available for withdrawal in special cases. Officers whose service exceed 25 years would thus reap the benefit of their own subscriptions while the payments made by an officer who died before retirement would not be lost to his heirs.

38032 (120). Assuming the maintenance of the annuity system, do you suggest any modifications in its detailed working, and, if so, what, and for what reasons?—If the annuity system be retained it would be desirable that an actuarial examination of the whole position should be made in order that it might be ascertained what portion of the annuity is contributed under the present system by Government and what portion by the officer. When the former amount is known it should be compared with the amount of superannuation pension earned under a non-contributory system in other European services and if necessary raised.

38033 (121). In particular, what is your opinion of the arrangement by which members of the Indian Civil Service, who are appointed Judges of High Courts, obtain special pensions of £1,200 a year after 11½ years' actual service as Judges? Do you recommend any change in the present conditions?—A Civilian Judge of the High Court has ordinarily earned a pension of £1,000 at, or soon after, his appointment to the High Court. It is therefore inequitable to make him serve 11½ years for an extra £200 when this period of service entitles a Barrister Judge to £1,200. Moreover, in many cases the Civilian Judge is unable to put in the required length of service before he is retired under the age clause. It is suggested, therefore, that he should be given a special pension of £1,100 after five years' service in the High Court, and of £1,200 after ten years.

38034 (122). Do you consider that a similar system should be applied to the cases of high Executive officers, and, if so, to which? Please state the amount of pension and the conditions which you recommend as suitable.—A special pension should be given to officers of and above the rank of Member of a Board of Revenue who have held such rank for not less than five years. The following scale is suggested:—Lieutenant-Governor £1,500; Members of the Executive Council of the Governor-General £1,300; Members of Executive Council of a Local Government and Chief Commissioners and first class Residents £1,200; Secretaries to the Government of India, Members of a Board of Revenue, and Financial Commissioners £1,100.

38035 (124). Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—The scale should be the same as that laid down in the case of officers who are forced to retire on account of ill-health.

38036 (125). Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?—Subject to the answers already given, the existing pension rules and rules regulating retirement are suitable.

38037 (127). Do you approve of the present system regulating the pensions of Statutory Civilians? If not, what do you suggest?—The present system seems suitable.

38038 (128). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed posts? If not, what do you suggest?—The present system under which a member of the Provincial Civil Service holding a listed post cannot earn a pension of more than Rs. 5,000 per annum is unsuitable. An officer holding a prize appointment of this kind should at least be allowed to earn a maximum pension of Rs. 6,000.

38039 (129). Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?—The regulations and working of the Fund are satisfactory.

38040 (130). In particular do you approve of the exclusion from their benefits of "Natives of India," who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on

which the present system is based?—There is no objection in principle to the admission of Indian members, and it is desirable that in this respect no distinction should be drawn between European and Indian members. But as payments are calculated on the vital statistics of European members it may be that the admission of any considerable number of Indians would have the effect of altering those payments. Admission should therefore be coupled with the condition that if after a period of years this was found to be the case differential rates would be imposed. This would necessitate the maintenance of separate accounts, but this would present little difficulty.

38041 (131). Do you recommend that such admission should be optional or compulsory?—Admission should be optional, the option to be exercised at the time of signing the covenant.

38042 (134). Have you any criticisms to make on the facilities at present offered—(*a*) to statutory civilians; (*b*) to members of the Provincial Civil Services holding listed posts—for providing for their families against their decease?—These officers are entitled to subscribe to the General Provident Fund and no further facilities appear to be required.

38043 (137). Have you any other proposals to make in regard to the Indian Civil Service not covered by your answers to the above questions? If so, please explain them?—The travelling allowance admissible under the ordinary rules is generally quite insufficient to cover the expenditure to which an officer is necessarily put on transfer. In the case of a married man the expenditure often exceeds by five or six times the allowances which can be drawn. Article 995 of the Civil Service Regulations lays down that travelling allowance is given to an officer to cover the actual travelling expenses incurred by him in connection with journeys on the public service. In the case of a journey on transfer this should include the expenses actually incurred in conveying an officer's family from one station to another, the transport of a reasonable quantity of baggage, including such furniture as an officer cannot be expected to sell and replace at his destination, and the conveyance of any horses and carriages which he is required to keep for the proper discharge of his official duties. Some limitations must be placed on the charges which Government may be called on to pay, in order to prevent undue expenditure which with proper forethought might be avoided; but it should be recognised that the expenses mentioned above are inevitable, and that officers transferred in the interest of the public service should be entitled to recover them. The principle has already been admitted in the case of non-gazetted officers with a salary not exceeding Rs. 400 a month, who are entitled under Article 1098 of the Civil Service Regulations to draw within certain limits the fares actually paid for their families and the cost of carriage of their personal effects. In the case of officers on higher pay, the Local Government can sanction under Article 1000 of the Civil Service Regulations the recovery of the actual cost of carriage of horses, camels, bicycles or camp equipment when an officer is required to travel on public duty. But this article has been interpreted as applying ordinarily only to officers on tour, and not to the case of an ordinary transfer. In order to remove the undoubted hardship of the present rule, the Government of Bengal proposed in 1906 to amend Article 1904, Civil Service Regulations, as shown in the draft attached. The Lieutenant-Governor in Council considers that the alterations proposed by that Government are as satisfactory as any that can be devised.

Article 1094.—An officer in superior service is entitled to travelling allowance at the rates prescribed below for a journey on transfer from one district to another, if he is transferred for the public convenience, and not at his own request, or in consequence of misconduct, and if he is entitled to pay or salary during the time occupied in such journey:—

(*a*) For a journey by steamer or railway to the fares actually paid for the officer himself, his family and servants, subject to the following limits:—

(i) For himself and family, four full fares of the class of accommodation to which he is ordinarily entitled.

(ii) For servants, three full fares of the lowest class.

Also to the cost of carriage by cargo steamer or goods train of personal effects within the limits on the following scale:—

Salaries of officers.	Weight of luggage.	Horses and carriage.
Rupees 500 or less	20 maunds	Two horses and a two-wheeled carriage.
More than Rs. 500, but less than Rs. 1,500.	40 „	
More than Rs. 1,500	50 „	

(*b*) For a journey by road, to the actual charges of locomotion for himself, his family and three servants, up to a maximum of three times the rate of mileage to which he is ordinarily entitled; and the cost of carriage of personal effects within the scale given in the preceding clause.

(*c*) If any member of the officer's family is prevented by good and sufficient cause from travelling with him, his or her journey may be charged for within these limits; provided he or she follows the officer within two months of the date of his transfer or precedes him by a period not exceeding one month.

NOTE 1.—[In the case of transfer within a district, an officer in superior service is entitled to travelling allowance at the rates prescribed in Chapter III.]

NOTE 2.—[Every officer other than a Commissioner or a Head of a Department proposing to draw travelling allowance under this article shall, before presenting his claim,

submit a detailed statement explanatory of the charges incurred upon the journey to the Commissioner of the Division to which he is transferred, or to the Head of his Department, as the case may be, who shall, after satisfying himself of their reasonableness and necessity, sign a written order (which should be attached to the bill) passing them to that extent.

No charge incurred in excess of the amount thus passed should be admitted by the audit officer who should require voucher for actual expenses, except in respect of steamer and railway journeys for which the officer's certificate will suffice. Heads of offices are held responsible that no unnecessary or excessive charges are allowed under the article.]

Written answers relating to the Provincial Civil Service.

38044 (1). Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The conditions as embodied in the rules are suitable.

38045 (2). Please supply a copy of the rules for the recruitment of the Provincial Civil Service in force in your Province. Are these rules suitable, or have you any recommendations to make for their alteration?—Copies of the rules are annexed. Those for admission to the executive branch of the service have recently been revised to suit the conditions of this Province. Those for the judicial branch are out of date and their revision is under consideration. The Lieutenant-Governor in Council is disposed to think that officers enter the judicial branch too late in life, so that men come to the grade of Sub-Judge too old and have little opportunity of showing themselves fit for promotion to listed posts or securing an appointment in the High Court. In order to remove this difficulty, it would be well to dispense with the condition that candidates must have had three years' practice at the Bar, which is of very little practical benefit, and to make the latest age for enrolment as a candidate 24 or 25. Anyone enrolled as a candidate, when not acting as a Munsif, should either be attached to the Court of a District Judge for training, or employed on settlement work. It is also proposed to provide for due consideration being paid to the claims of all the various sections of the community.

ANNEXURE.

The 10th September 1912.

No. 3732A.—The following rules for admission to the Executive Branch of the Provincial Civil Service and to the Subordinate Executive Service in the Province of Bihar and Orissa, are published for general information:—

Rules for Admission to the Executive Branch of the Provincial Civil Service.

Rule 1.—As a rule only natives of the Province will be appointed. Candidates, who are not natives of the Province, will in no case be appointed unless they are already in Government service, or their parents are permanently domiciled in it. The subjects of Native Princes, in alliance with His Majesty, will be eligible for appointment, provided they are otherwise qualified under these rules.

Rule 2.—Europeans who do not satisfy the definition of Native of India, contained in section 6, Statute 33 Victoria, Chapter 3, are not eligible for appointment to the Provincial Service without the previous sanction in each case of the Government of India.

Rule 3.—The Lieutenant-Governor in Council will determine from time to time what proportion of appointments to the Executive Branch of the Provincial Civil Service shall be made (1) by promotion of selected officers who are already in Government service, (2) from among outside candidates.

Rule 4.—It is estimated that there will be ten vacancies on an average annually in the cadre of Deputy Collectors; and in order to keep the service up to strength ten probationers will ordinarily be appointed in each year. These probationers will be appointed in accordance with the following rules.

Rule 5.—The Lieutenant-Governor in Council will retain three appointments in his own hands.

Rule 6.—The Syndicate of the University may be invited in any year to nominate two graduates of high character whom they regard as the most distinguished students among those who are natives of, or who belong to families permanently domiciled in, the Province of Bihar and Orissa. The nominations will be made in accordance with the conditions laid down in Rules 1, 2 and 9. From amongst these, or from amongst graduates previously nominated under this rule by the Syndicate, who have not passed the age of 25 years, the Lieutenant-Governor in Council will, after enquiry, select one person to be a probationer.

Rule 7.—Three, or if in any year the University is not asked to nominate, four of these appointments will be made by the promotion of officers who are already in Government service. On the 1st September, every year, the Board of Revenue, after consulting Commissioners of Divisions, the Commissioner of Excise, and the Director of Land Records, will submit the names of six officers arranged in order of preference, with a brief statement of their services and qualifications. The age of an officer nominated under this rule should not exceed 40 years.

Rule 8.—Three appointments from among persons not in Government service will be made annually on the nomination of Commissioners. Nominations will be made in accordance with the conditions laid down in rules 9 and 10. For the purposes of this rule, the duty of nominating will be exercised in the rotation prescribed in Schedule A.

Rule 9.—The indispensable qualifications for candidates for appointments under Rule 8

are (1) that he is not under 20 or over 25 years of age; (2) that he is of good character; (3) that he is a graduate; and (4) that he is of sound health, good physique and active habits, and free from organic defect or bodily infirmity.

Rule 10.—(*a*) In any year in which the Commissioner is entitled to submit nominations, every District Officer in his Division will submit to him, on or before a date to be fixed by the Commissioner, the names of two or three candidates, as the Commissioner may direct, among those who are natives of, or who belong to families permanently domiciled in, his district. In submitting these names he will give, in the form appended to these rules, a brief statement of the grounds of his recommendation in each case. The nominees under this rule must not be officials, but this does not exclude the nomination of Honorary Magistrates.

(*b*) The form must be accompanied by (*i*) a certificate of the Registrar of the University that the candidate has obtained a degree, (*ii*) a certificate of character and conduct from the Principal of the institution at which the candidate last studied for not less than one year, or from some responsible officer of Government, (*iii*) a medical certificate in accordance with the requirements of Article 49 of the Civil Service Regulations, and (*iv*) evidence of the candidate's age.

(*c*) The Commissioner and all the District Officers of the Division will meet on a date to be fixed by the Commissioner, and will consider the claims of all the candidates nominated. They will also call the candidates before them, and see and converse with them so as to form an opinion regarding their suitability for the public service. The Commissioner will then select two names, and submit them in order of preference to the Lieutenant-Governor in Council by September 1st. With his report submitting these names, the Commissioner will submit the prescribed form for all candidates, entering in each case, in the last column of that form, his own opinion as to the suitability of the candidate.

(*d*) Every candidate nominated by a Commissioner must be a native of, or be permanently domiciled in, his Division. In making nominations, special attention should be paid to the position within the Division of the community to which the nominee belongs, to social qualifications and family status and influence, to services rendered by the members of the candidate's family, and to distinctions obtained in the University.

Rule 11.—Every probationer must furnish, either before appointment or within twelve months thereafter, a certificate of his ability to ride, signed by a District Officer or by the Joint Magistrate in charge. In no case will a probationer be confirmed until this certificate has been furnished.

Rule 12.—The minimum period of probation for officers appointed direct will be one year. On termination of that period appointments will be given to approved probationers in order of seniority as vacancies occur. There will be no minimum period of probation for probationers already in Government service. In special cases the Local Government may declare the period of probation or training prescribed for persons appointed to the Provincial Civil Service by direct recruitment to be unnecessary. Probationers will receive an allowance at the rate of Rs. 100 a month, provided that persons already in the service of Government who are appointed to be probationers may continue to draw the pay of their last appointment up to a maximum of Rs. 250 a month.

Rule 13.—The confirmation and promotion of officers whose appointments are governed by these rules are subject to their passing the Departmental Examinations by the standards and within the periods prescribed in the rules for those examinations. Those who fail to satisfy the conditions so laid down will render themselves liable to removal from the service.

Rule 14.—Promotion to grades below that on Rs. 500 a month will ordinarily be given according to seniority, subject to fitness and approved conduct. But the Lieutenant-Governor in Council reserves the right to make promotion to the senior grades of the Provincial Service by special selection for merit without regard to seniority, and hereby declares that seniority alone shall not give a claim to appointment to the grade on Rs. 500 or higher grades. The Government of India also retain power in very special cases to make direct appointments to the higher grades.

Rule 15.—No member of the Provincial Service shall be dismissed otherwise than on the result of a judicial or formal departmental enquiry.

Rules for Admission to the Subordinate Executive Service.

Definition.—The Subordinate Executive Service includes appointments of Sub-Deputy Collector and any other appointments which the Lieutenant-Governor in Council may from time to time specifically declare to be included therein.

Rule 1.—Seven appointments of Probationary Sub-Deputy Collectors will be made annually, or, if in any year the University is not invited to nominate to the Provincial Civil Service, then eight.* Five of these appoint-

* If in any year any officer promoted under Rule 7 of the rules for admission to the Provincial Civil Service, is not a member of the Subordinate Executive Service, the number of appointments made to the Subordinate Executive Service in that year will be reduced accordingly. This means that there will be a reduction of one (or more as the case may be) in the number of nominations available for Commissioners of Divisions; and, unless there are special reasons to the contrary, the Commissioner, on whose recommendation the promotion was made, must not expect his recommendation for an appointment to the Subordinate Executive Service to be accepted in that year.

ments, one for each Division, will be made upon the nominations of Commissioners of Divisions. These appointments will be made in the manner and on the conditions prescribed in Rules 9 and 10 of the Rules for admission to the Executive Branch of the Provincial Civil Service. The Lieutenant-Governor in Council will retain the remaining appointments in his own hands.

Rule 2.—Rules 1, 2, 11, 12, and 13 of the Rules for admission into the Executive Branch of the Provincial Civil Service apply *mutatis mutandis* to the Subordinate Executive Service also. The usual allowance of Probationary Sub-Deputy Collectors will be Rs. 50 per mensem.

Rule 3.—In making their recommendations under Rule 1, Commissioners are at liberty to nominate any officers of Government serving within their Divisions, who have been recommended by the Director of Land Records, the Commissioner of Excise or other Heads of Departments even though they are not graduates, provided that they are under 40 years of age.

SCHEDULE A.—(*See rule 8.*)

	1912.	
Commissioner of the	Orissa	Division.
Ditto	Tirhut	,,
Ditto	Bhagalpur	,,
	1913.	
Commissioner of the	Orissa	Division.
Ditto	Bhagalpur	,,
Ditto	Patna	,,
	1914.	
Commissioner of the	Orissa	Division.
Ditto	Patna	,,
Ditto	Tirhut	,,
	1915.	
Commissioner of the	Orissa	Division.
Ditto	Tirhut	,,
Ditto	Bhagalpur	,,
etc.	etc.	

FORM.—(*See rule 10.*)

Column 1. Name of candidate and address in full.
,, 2. Father's name, profession or occupation, and address in full.
,, 3. Religion and caste or race.
,, 4. Date of birth (day and month to be given).
,, 5. Educational qualifications, and places of education during the preceding four years with dates.
,, 6. Other information regarding the candidate (physique, moral character, present occupation, etc.).
,, 7. A memorandum of the status and services of members of the family.
Column 8. Special claims for consideration.
,, 9. Remarks indicating degree of Collector's personal knowledge of candidate and sources of information about him.

H. LEMESURIER,
Chief Secretary to the Government of Bihar and Orissa.

NOTIFICATION No. 1784A., dated the 10th March 1894.

Rules for Admission into the Judicial Branch of the Provincial Civil Service.

Definition.—"The Judicial Branch of the Provincial Civil Service" includes Small Cause Court Judgeships outside the Presidency town, Sub-Judgeships, Munsifships, and any other appointments which the Lieutenant-Governor may from time to time specially declare to be included therein.

1. In accordance with section 7 of Act XII of 1887, nominations to Munsifships will be made by the High Court under the following rules, which have been framed by the Lieutenant-Governor in consultation with the High Court, and sanctioned by the Governor-General in Council.

2. A candidate shall present an application in writing to the Registrar of the High Court, Appellate Side. This shall ordinarily be accompanied by the following certificates, *viz.*:—

(1) that the candidate's age does not exceed 27 years;
(2) that he has obtained the degree of B. L., or has passed the Senior Pleadership or some analogous examination, or is a Barrister-at-Law, or Member of the Faculty of Advocates in Scotland, or is an Attorney on the rolls of the High Court;
(3) that he is of good moral character and has received a liberal education;
(4) that he has practised as a Pleader or Barrister or Member of the Faculty of Advocates in Scotland, or Attorney, for not less than three years, except in the case of Vakils of the High Court, for whom the period of qualifying practice will be two years. The High Court may, for special reasons, dispense with a portion (not exceeding two years) of the said period of three years (*vide* Notification No. 1440A.—D., dated the 14th June 1907);
(5) that he is in good health and is physically fit for service. The certificate of health must be signed by a Presidency Surgeon or a Civil Surgeon.

3. It shall be within the discretion of the High Court to require any such additional proof on any of the above points as it may think fit.

4. If the qualifications of the candidate are satisfactory to the Court, his name shall be entered in a register as *eligible* for admission to the Subordinate Judicial Service, but priority of entry in the register shall confer no right of priority of appointment. A candidate's name shall be removed from the register in the event of failing to obtain a gazetted appointment under section 7 of Act XII of 1887 before attaining the age of 29 years.

5. At the time a registered candidate is appointed permanently to the service, he shall ordinarily be required to submit a fresh health certificate signed by a Presidency Surgeon or a Civil Surgeon.

APPENDIX.

The following rules, which the Government of India and the Secretary of State have determined shall be applied in all branches of the Provincial Civil Service, are published for the information of candidates for admission to the Judicial Branch:—

1. Europeans who do not satisfy the definition of Native of India contained in section 6, Statute 33 Victoria, Chapter 3, are not eligible for appointment to the Provincial Service without the previous sanction in each case of the Government of India. With such sanction they may be appointed if they are qualified under the conditions mentioned in rule 2 of the above rules.

2. The subjects of Native Princes in alliance with Her Majesty the Queen-Empress of India are eligible for appointment to the Provincial Service if they are qualified under the conditions mentioned in rule 2 of the above rules.

3. All candidates for admission to the Judicial Branch must furnish satisfactory evidence of a thorough knowledge of at least one of the vernacular languages of the Province. The High Court will require all candidates who have not already furnished such evidence at some recognized examination, to pass a special examination, in either Bengali, Hindi, Urdu, or Uriya before appointment. The object of the examination will be to test the candidate's knowledge of the language and ability to write and read the written character with facility. The examination will include—

(1) translation into English of proceedings, petitions, reports, etc., written in manuscript, and

(2) translation from English into the vernacular selected.

4. Every person appointed to the Judicial Branch shall be subject to a period of probation or training, during which time his appointment will be probationary only, unless in special cases the High Court declares such probation or training to be unnecessary.

5. Promotion to grades below that on Rs. 600 a month will ordinarily be given according to seniority, subject to fitness and approved conduct. But the Lieutenant-Governor reserves to himself the right to make promotion to the senior grades of the Provincial Service by special selection for merit without regard to the seniority, and hereby declares that seniority alone shall not give a claim to appointment to the grade on Rs. 600 or higher grades.

6. No member of the Judicial Branch shall be dismissed otherwise than on the result of a judicial or formal departmental enquiry.

H. J. S. COTTON,
Chief Secy. to the Govt. of Bengal.

38046 (3). Please see the statement showing the constitution of the Provincial Civil Service, reproduced as Appendix B to these questions, and state whether the information is correct for your Province. If not, what alterations are required?—The statement for the executive branch of the service is now out of date. Since April the 1st 1912, 7 appointments have been added for settlement work and 2 for general administrative purposes and the grades now stand as follows:—

	Rs.	
1st grade	800	5
2nd „	700	5
3rd „	600	12
4th „	500	37
5th „	400	55
6th „	300	57
7th „	250	60

The statement is otherwise correct.

38047 (4). Please state the different systems of recruitment that have been adopted for the Provincial Civil Service, the periods for which they were in force, and the number of officers recruited year by year in your Province under each system since its formation?—The rules are the same as were in force in Bengal. The number of officers recruited this year for the executive branch of the service is 12 including promoted Sub-Deputy Collectors. The statement subjoined shows their distribution by race:

Bihari.	Uriya.	Chota Nagpuri.	Bengali.	European and Eurasian.	Total.
5 (*a*)	4*(*b*)	*Nil*	2 †	1(*c*)	12

* Includes one Bengali domiciled in Orissa.
† Both promoted from the rank of Sub-Deputy Collector.
(*a*) Includes one promoted Sub-Deputy Collector.
(*b*) „ two „ „ Collectors.
(*c*) A Statutory "Native of India."

No substantive appointment of Munsif has been made since April 1st, 1912. The statement below shows the officers who have been selected for officiating appointments and their distribution by race:—

Bihari.	Uriya.	Chota Nagpuri.	Bengali.	European and Eurasian.	Total.
5	1	*Nil*	5*	.....	11

* Domiciled in Bihar and Orissa.

38048 (5). Please state the number of natural-born subjects of His Majesty other than "Natives of India" recruited in your Province in each year?—No natural-born subjects of His Majesty other than Natives of India have been recruited for the service since the creation of the Province.

38049 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—The first part of this question is not applicable to this Province. Government are fully satisfied with the system of recruitment now in force subject to the remarks which have been made in the answer to question (2) regarding recruitment for the Judicial Branch. The main objections to recruitment by open competition are that it is impossible by that system to provide for the claims of all the different classes and communities in the Province, and that success in a competitive examination does not connote the possession of the qualifications which are required for actual work. A system of nomination subject to the possession of a good University degree is preferable to one of combined nomination and examination.

38050 (7). To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?—The subjoined statements give the information required for the Provincial Executive and Judicial services respectively:—

Executive Branch of the Provincial Civil Service.

Natives of			Bengalis.		Others.	Total.
Bihar.	Orissa.	Chota Nagpur.	Domiciled.	Non-domiciled.		
62	20	4	16	85	42*	229

* Includes Europeans and Eurasians and two Indians from the North-West. The few Indian Christians have been shown by race.

Judicial Branch of the Provincial Civil Service.

—	Bihari Hindus.	Uriya Hindus.	Bengali Hindus.		Muhammadans.	Total.
			Domiciled.	Non-domiciled.		
Sub-Judges .	1	*Nil*	*Nil*	13	2*	16
Munsifs . .	18	2	5	27†	18*	70

* Includes Bihari Muhammadans and Bengali Muhammadans, both domiciled and not domiciled, but no Uriyas.

† Includes one Indian Christian.

N.B.—The exact accuracy of the statements cannot be guaranteed. As far as possible recruitment should in future be confined to natives of the province.

38051 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—At present there is an excessive number of Bengalis. When this province formed part of Bengal it was flooded with Bengalis who are educationally more advanced than the people of Bihar and Orissa. It is most desirable that all classes and communities should be duly represented.

38052 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and if not, what alterations do you recommend?—The system of training of officers of the Executive Branch of the Provincial Civil Service is satisfactory. A copy of the rules is appended.* There is at present no system of training for officers of the Judicial Branch. In this connection please see answer to question (2).

**Rules for the training of Probationers, Assistant Magistrates, Deputy Magistrates and Sub-Deputy Magistrates.*

1. It is the duty of District Officers to look to the practical training of young officers placed under them, from the commencement of their official life until they acquire a practical experience of their work and qualify themselves for the exercise of higher powers by passing the prescribed examinations. District Officers are expected to take an active interest in the well-being of the young officers placed under them.

2. The following rules apply to Probationers appointed direct to the Provincial Executive Service and to the Subordinate Executive Service:

(1) The minimum period of probation will be twelve months. Probationers shall, during their probationary service, be trained so as to get as much experience as possible in Magisterial and Revenue Courts, with a view to acquiring a knowledge of office routine. During this period they should study the Codes and the Acts to enable them to go up for their Departmental Examinations as soon as they are permitted to do so. For Probationers who are

appointed in the ordinary way in the autumn this will be in October or November of the succeeding year. But officers who are appointed at other times will not be allowed to go up until twelve months have elapsed from the date of their appointment.

(2) Each Probationer will be trained in the Magisterial Department for three months, and in the Revenue Department, including (1) Tauzi and Government Estates, (2) Land Registration, (3) English office, (4) Munshikhana Registers, (5) Certificates, (6) Record-room, (7) Cess and Revaluation, (8) Nizarat, (9) Excise and Income-tax, (10) Treasury,* for nine months. The amount of time spent in each Revenue Department will depend on the amount of work in that department of the particular office to which the Probationer is posted.

(3) Probationers should not take up Partition, Survey and Settlement, or Land Acquisition work. These departments form the subject of special training.

(4) The Collector should maintain a register showing, with reference to the work in his office, the amount of time a Probationer will spend in each department.

Training in Magisterial Work.

(5) Probationers should, while under training in the Magisterial Department, attend the Court of a first class Magistrate, selected by the District Magistrate, during the trial of criminal cases. They should be required to prepare a full, complete, and careful record of the depositions of the witnesses and a concise summary of the evidence given. They should also be required to take notes of the argument of the pleaders, discuss the application of the law to the facts of the cases reported by them, and write a decision. This should be done in at least six defended cases.

(6) The records of the cases prepared under rule (5) should be submitted by the Probationer to the trying Magistrate, who should examine them with a view to see that they are intelligently prepared. He should point out any obvious mistakes. The records should also be occasionally examined by the District Magistrate or the Joint Magistrate.

(7) Probationers should be deputed to examine the various registers kept in the Criminal Courts and to submit inspection reports according to the Inspection Manual. They should also inspect the Record-room and other Departments of the Magistrate's office according to the Manual. The Inspection note should be submitted to the District Magistrate through the Deputy Magistrate in charge.

Probationers may also be deputed for miscellaneous inquiries in regard to criminal case when the inspection of a locality or other matter is important; and they might be examined in Courts as to their reports. They might also conduct inquiries in chaukidari and other simple matters.

Training in Revenue Work.

(8) Probationers should not be required to work as clerks, or to write up registers; they should, however, prepare notes or *précis* of cases and should draft letters. They should see all the papers which go up to the Deputy Collector, and the Deputy Collector should utilise their services in any way that he can in connection with them. The Deputy Collector should see that each Probationer makes himself acquainted with the law and rules bearing on subjects dealt with and should in selected cases require him to prepare a note explaining the procedure or the reason for the action taken. In departments the work of which involves the keeping of accounts or registers, Probationers should check and initial entries made in registers, check the accounts and examine the preparation of returns. They should also inspect each department according to the Inspection Manual, and the Collector might utilize their notes of inspection for his own inspections. They should also attend inspections by senior officers.

(9) At the end of the probationary period in any department, or under any Deputy Collector, the Deputy Collector should record a note in the register referred to in rule (4), stating how the Probationer has attended to his duties, and giving an opinion as to his industry and ability. This should be shown to the Collector.

(10) Probationers should keep a diary, and record briefly the work done by them daily. The diary should be submitted to the Deputy Collector under whom they are working for the time being, and should be seen periodically by the Collector.

3. As a preliminary to their passing the Departmental Examination, Assistant Magistrates, Deputy and Sub-Deputy Magistrates, and Probationers, who are required under Rule 2 in Part B of these Rules to appear at the examination, have to prepare records† of criminal (including sessions) cases as laid down in Rule 22 of the Rules in that Part. Assistant Magistrates are also required to receive a thorough training in the Tauzi Department and Collectorate Record-room under the special supervision of the Collector.

38053 (10). Is the existing system of departmental examinations suitable, and if not, what changes do you recommend?—The existing system is suitable. There is no departmental examination for officers of the Judicial Branch.

38054 (11). Do you consider that any change should be made in the classes of officers and appointments at present included in your Provincial Civil Service?—No change should be made.

N.B.—Probationary Deputy and Sub-Deputy Collectors, while undergoing their training in Treasury work under this rule, may, as heretofore, be placed in subordinate charge of Treasuries under rule 23 of the Rules in Part B.

† Probationers appointed direct have to prepare these records in addition to those required by Rule 2 (5).

38055 (12). What is the system on which the strength of the $\frac{\text{Executive}}{\text{Judicial}}$ branch of your Provincial Civil Service is fixed? Do you consider it satisfactory, and if not, what alterations do you recommend?—The strength of the executive branch of the Provincial Civil Service is determined by the number of inferior posts necessary for the administration, less those which it is calculated that the number of junior civilians in training for superior posts will normally be sufficient to fill. These posts include appointments for general administration, settlement, partition, excise, etc., as well as a leave reserve of 14 per cent. calculated on the number of permanent appointments. This system is satisfactory. In the judicial branch, the strength of the service is based on the actual number of sanctioned posts.

38056 (13). In particular is the leave reserve adequate, and the system on which it is graded suitable?—The leave reserve is adequate. In the executive branch it originally consisted of an extra grade on Rs. 200 the strength of which was fixed at 14 per cent. of the other 7 grades. This grade has now been amalgamated with the 7th grade. There is no reason why all the posts which form a leave reserve should be in the lowest grade. All additions to a graded service should be spread over the grades in proportion to the sanctioned grading, otherwise the prospects of the service are spoilt. There is no leave reserve in the judicial branch and vacancies are filled from the list of enrolled candidates.

38057 (14). Is there any reserve for officers under training and is it adequate?—No. Officers on probation, which generally lasts from one to two years, do not count as part of the cadre, and this provision is sufficient.

38058 (15). What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion?—The annual rate of recruitment for an ordinary service in India is calculated to be 3·82 per cent. but this rate is inefficient to keep a service, constituted as the executive branch of the Provincial Service in Bihar and Orissa, up to its proper strength. The reason of this is that a certain proportion of its officers are promoted from the Subordinate Service and therefore enter the Provincial Service at a more advanced age. The actual rate fixed for Bihar and Orissa is now 4·30 per cent. This figure has been arrived at, partly on the basis of the actual figures of the last ten years in Bengal, and partly by actuarial calculations. There has been over-recruitment in the past which has left Bihar and Orissa with an undue number of probationers waiting for confirmation, but now that the rate of recruitment has been fixed as noted above, it is hoped that normal conditions will gradually reassert themselves. In the Judicial Branch, recruitment depends on the actual number of vacancies occurring in each year, and no difficulty has been felt.

38059 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—All promotions to and above the 4th grade (Rs. 500) are made by selection. In making this selection the Character Reports, and especially the opinions of Commissioners, carry great weight. The higher grades are reserved for picked men who are suitable for posts of responsibility and it is from them that Subdivisional Officers are selected. In the Judicial Branch all promotions above the rank of Munsif are by selection on the recommendation of the High Court.

38060 (17). Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—The present system is suitable, but Government should have full power to retire officers of proved inefficiency before they reach the age of 55; and for this purpose a system of proportionate pension is necessary as recommended for the Indian Civil Service.

38061 (18). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—The functions of the two branches are as a rule absolutely distinct, but in the Chota Nagpur and Orissa Divisions rent suits are tried by Deputy Collectors instead of by Munsifs; and in Chota Nagpur one or two Munsifs exercise criminal powers and a few Deputy Collectors are vested with the powers of a Munsif. No change is needed.

38062 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—Subject to what has been said elsewhere the existing system is suitable.

38063 (21). Are you satisfied with the present designation "The Provincial Civil Service?" If not, what would you suggest?—Government are satisfied with the present designation.

38064 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—The principle is suitable.

38065 (23). Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Pro-

vincial Civil Service authorized on the 1st April of each of the following years:—1890, 1900, and 1912. When was the last general reorganization effected, and what improvement of prospects was effected thereby?—The statement below gives the information required for the 1st April 1912, when this province was created. Nine appointments have been added to the cadre of Deputy Collectors since April 1st, 1912, and the number of appointments in each grade now sanctioned is as shown in the answer to question (3). The last general reorganization of the Executive branch of the Provincial Civil Service was effected on the 1st January 1912 when the eighth grade on Rs. 200 which comprised the leave reserve was amalgamated with the seventh grade on Rs. 250.

Executive branch.	Grade.	Rate of pay.	Number of posts.	Judicial Branch.	Grade.	Rate of pay.	Number of posts.
		Rs.				Rs.	
Deputy Magistrates and Deputy Collectors.	1st	800	4	Subordinate Judges.	1st	1,000	2
	2nd	700	5		2nd	800	6
	3rd	600	12		3rd	600	12
	4th	500	36	Munsifs	1st	400	20
	5th	400	52		2nd	300	19
	6th	300	54		3rd	250	19
	7th	250	59		4th	200	10
Total	...	...	222	...	...	...	88

38066 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—The question whether the executive branch of the service should not be regraded in view of the recent amalgamation of the 7th and 8th grades and of the low proportion of posts in the higher grades is being examined. Government are also considering what measures should be taken to improve the conditions in the judicial branch; in particular the raising of the pay of the lowest grade of Munsifs to Rs. 250 is very desirable.

38067 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—The introduction of the system of officiating grade promotions is not recommended. But some improvement is necessary in the conditions of service. Apart from the fact that since the present rates were fixed the cost of living has increased, promotion is extremely slow, and to enable an officer to earn the full pension it is frequently necessary that he should be granted extensions of service. If the Provincial Civil Service is to occupy the same relative position to other Provincial Services as the Indian Civil Service does to other European Services, pay and prospects should be improved, although it is recognized that the expenditure involved would be considerable. Revision might be effected either by the adoption of more favourable grading and the addition of a grade on higher pay, or by the introduction of a suitable time-scale.

38068 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—So far as he has been able to examine the question, the Lieutenant-Governor in Council is of opinion that a time-scale of salary would get over many of the difficulties at present felt in dealing with both branches of the service, but as it is necessary to draw a clear line of division below which promotion would be given almost entirely by seniority and over which promotion would be given entirely by merit, a partial introduction only of the system is recommended. Whatever course is taken, it is essential that a large percentage of posts should be put into the higher grades. The main cause of slow promotion and the consequent dissatisfaction in the executive service is, that in the province as a whole, only about 10 per cent. of the appointments fall in the three highest grades. In the judicial branch of the service no less than 29 per cent. of the appointments are worth Rs. 600 per mensem and over, and it seems just that the prospects offered to members of the executive branch should approximate to this. The cost of any revision would no doubt be very great, but some change in the present conditions, under which it is difficult for a member of the Service to earn the full pension open to him unless he is granted an extension, seems necessary.

38069 (29). If you recommend any kind of time-scale of pay, please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades,

charge allowances and other matters of importance? How do you propose to apply such time-scales in provinces where the scale of pay of the executive and judicial branches of the service is different?—If a time-scale is introduced as already stated, it should not extend to the higher grades, promotion to which should be by selection as at present. As now officers in special branches of the service should continue to receive local allowances and those holding charge of a subdivision including a Sadar subdivision should receive a charge allowance and free quarters. The time-scale for the executive and judicial branches should be entirely separate.

38070 (31). Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—Leave, specially furlough, is probably more often taken in the Executive branch of the service than formerly, but members of the Judicial branch of the service very rarely go on furlough. The leave reserve is adequate and leave is seldom refused, though it has sometimes to be postponed.

38071 (32). Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—Members of the Executive branch of the Provincial Service usually take the full amount of privilege leave due to them, but occasionally an officer who is stationed in a district that he likes, refrains from taking leave from fear of being transferred. The amount which can be earned is suitable. In the Judicial branch officers are not entitled to any leave on full pay unless they are detained on duty during the annual vacation (*vide* Articles 272—274, Civil Service Regulations). They are thus obliged to take their leave at one fixed time in the year. If compelled by domestic or other reasons to take leave at other seasons, they can only do so on half-pay. Seeing that nearly half the annual vacation is enjoyed by Executive as well as Judicial officers, it seems only just that all members of the Provincial Judicial Service should be allowed privilege leave to the extent of 15 days in each year on full pay, and they should be allowed to accumulate it up to a total of three months inclusive of any leave which may be due to them owing to their being detained on duty in the vacation.

38072 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—Officers in either branch of the service very rarely take the full amount of furlough due to them. At the same time it is undesirable to restrict the amount of ordinary furlough which is by no means too liberal, and there is no reason to cut down the amount of leave that may be taken on medical certificate.

38073 (34). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—The rates are suitable. Furlough allowances are ordinarily at the rate of half the average salary. This probably results in reducing the amount of furlough taken, but no complaints against the rules have ever been made.

38074 (35). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?—The limits now fixed by Articles 341 and 342, Civil Service Regulations, are suitable.

38075 (36). Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—A redraft of Section VI of Chapter XI of the Civil Service Regulations (general conditions of leave—combination, extension and commutation of leave), of Chapter XII (short leave), which apply to all services, has recently been circulated for opinion. The alterations recommended by the Government of India appear to be generally suitable, but the question has not yet been fully examined.

38076 (37). Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the Administration, and, if so, what; and what remedy do you suggest?—No inconvenience is caused.

38077 (38). In particular, are they a contributory cause of excessive transfers of officers, and, if so, how can this difficulty be met?—The present rules do not lead to excessive transfers.

38078 (39). Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—The restrictions in the existing rules sometimes cause hardship and this Government approve of the Government of India's recent proposals to allow medical leave unconditionally, subject to a total maximum of three years and a maximum at one time of two years: to allow ordinary furlough at the rate of one-tenth of active service to be taken at any time up to a maximum of two years; and to grant six months' special leave at any time during an officer's service. If these proposals are approved the existing grievances will be removed.

38079 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—The present system is satisfactory.

38080 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—Officers who have been confirmed in listed posts should be allowed the extra pension of Rs. 1,000 a year. In other respects the existing scale of pension is suitable.

38081 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—The existing rules are suitable.

38082 (45). To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially recognised funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—Out of a total of 222, 90 members of the Provincial Civil Service subscribe to the General Provident Fund as follows:—

At the rate of	$12\frac{1}{2}$ per cent.	43
„	$9\frac{3}{8}$ „	5
„	$7\frac{13}{16}$ „	1
„	$6\frac{1}{4}$ „	41
		90

Out of a total of 88, 34 members of the Judicial branch of the service subscribe at the following rates:—

Sub-Judges—

At the rate of	$12\frac{1}{2}$ per cent.	6
„	$6\frac{1}{4}$ „	4
	TOTAL	10*

Munsifs—

At the rate of	$12\frac{1}{2}$ per cent.	14
„	$9\frac{3}{8}$ „	2
„	$7\frac{13}{16}$ „	3
„	$6\frac{1}{4}$ „	5
	TOTAL	24

* Mr. Ram Lal Dutt who is holding a "listed" post of District and Sessions Judge also subscribes at the rate of $12\frac{1}{2}$ per cent.

The facilities offered are sufficient.

38083 (46). Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—Yes. Subject to the answer already given to question (24).

MR. H. LEMESURIER called and examined.

38084. (*Chairman.*) You are the Chief Secretary to the Government of Bihar and Orissa?—Yes.

38085. And you come before us to put in and to explain the answers furnished by your Government?—Yes.

38086. We understand that the opinions which you are about to give will be your own?—Yes.

38087. I should like to say in starting, on my own behalf, and on behalf of my colleagues, that I am afraid the visit of the Commission in these early days of your Government's existence may be somewhat inconvenient; but we were very reluctant to forego the opportunity and advantage of visiting this Province. We are very sensible and appreciative of all that has been done to make our enquiry easy and convenient, and I should be grateful to you if you would convey our best thanks to His Honour the Lieutenant-Governor and his colleagues for all that has been done for us. Your Province falls into three distinct portions, Bihar, Chota Nagpur, and Orissa?—Yes.

38088. Would you describe to us briefly the peculiar characteristics of these three divisions and tell us what are the main problems with regard to them?—Briefly, Bihar is a continuation of the United Provinces with the permanently settled districts with which it was originally united. It now comprises three divisions, Patna, Tirhut, and Bhagalpur. The conditions of these are more or less the same. They are inhabited by pure Indians generally known as Aryo-Dravidian. There is a large Muhammadan population in the Patna and the Bhagalpur Divisions, less strong in Tirhut. To these three divisions are added the Sonthal Parganas, which is a hilly tract, until recently inhabited entirely by aboriginal races. It approaches in all other respects to Chota Nagpur. Chota Nagpur is a division of five districts, which is a tableland leading up to Central India. Its original inhabitants were aborigines, but the Chiefs claim to be emigrants from Upper India of Rajput descent. At the present time the country is largely penetrated from Calcutta and from the south generally, owing to the discovery of minerals, coal in the Manbhum and Hazaribagh Districts; iron in Singhbhum, and copper also in Singhbhum. The population, therefore, divides itself entirely into a purely savage race and those who have come in to exploit the mines or to work the Administration. Orissa was originally a Hindu Kingdom until the middle ages. It was afterwards overrun by Moguls, and the settled parts of it were called the Mogul Bund parts. Later on it was annexed by the Mahrattas and from them we took it at the beginning of the 19th century. The population of Orissa proper is Hindu, and it contains a number of shrines at Puri and other places of the Vishnuvite section of the Hindus. The people are physically more akin to the Bengali than to the Upper Indian, but their habits are totally distinct; they have characteristics of their

own, their own language, their own character, their own social system. A large portion of the division consists of some independent Feudatory States, which number nearly thirty, and which have a semi-independent Government.

38089. Your Government is composed of a Lieutenant-Governor, of two members from the Indian Civil Service, and an Indian member?—Yes.

38090. In this respect your Province is unique at present?—Yes; we have succeeded Bengal in that respect.

38091. How does your Province compare in area and population and the number of its district charges with the other Lieutenant-Governorships?—The area is 111,829 square miles, of which 83,181 are British territory, and the rest in Feudatory States. The population is 38,435,293, of which 34,490,084 are in British territory. As compared with the Lieutenant-Governorships, Bihar and Orissa comes next in population to the United Provinces. In area it is the fourth of the Lieutenant-Governorships. The district charges are twenty-one, to which must be added the Feudatory States and the Scheduled District of Angul. The number is the smallest of any of the Lieutenant-Governorships or major Provinces.

38092. You have, I notice, 54 superior posts in your cadre as against 111 in the United Provinces, 80 in the Punjab, 83 in Burma, and 51 in the Central Provinces?—Yes.

38093. Your Province came into existence in April 1912?—Yes.

38094. Your Government would, on the whole, keep the open competitive examination in England as it is, and regard that as the main door of entrance to the service for both Europeans and Indians?—Yes, subject to some reduction in age.

38095. If the increased employment of Indians is desired, your Government would supplement the supply by recruitment in India through nomination of a certain number of graduates in Honours who would then be sent to England for a two years' probationary course?—Yes.

38096. Are you prepared to say at all, approximately, what that number would be?—We have hardly yet been able to calculate what the numbers would be, because we have, first, to examine whether the existing cadre is absolutely adequate to our requirements, or whether it is necessary to provide for additional posts to meet the wants of the Province which have only been examined for a year. It has a large population and enormous district charges.

38097. It is too early in the day to say whether the cadre is sufficient or not?—I should be inclined to think that it is insufficient. It is a difficult thing to ask the Government of India to revise it within so short a period as one year.

38098. From what you can see, present experience points to its being insufficient?—Yes, I think so.

38099. Under your scheme selection would be made by a Central Board appointed by the Imperial Government?—Yes.

38100. Has it been considered at all how this Board might be constituted?—No definite decision has been arrived at; but a suggestion has been made that it might be composed of one or more members of the Governor-General's Executive Council, with the assistance, possibly, of the Chief Justice of a High Court, the Vice-Chancellors of one or two Indian Universities, and such other persons as might be supposed to be capable, picked from different aspects.

38101. We have had the suggestion made to us by witnesses elsewhere that the Board should contain a non-official as well as an official element?—Yes, I think that might be possible; and perhaps it would be desirable to have non-official members to claim that representation of the various classes upon which Government lays stress.

38102. I notice it is suggested that with any increase of Indians there should be no reduction of the existing strength of the European element, but that that increase might be made, where it was found necessary, by additions to the cadre?—No reduction of the cadre of the Indian Civil Service, whether composed of English or Indian members recruited in the ordinary course.

38103. Your Government hope by requiring a fairly high educational qualification, and providing, at the same time, for adequate training, to get round the difficulties which appeared under the old statutory system?—Yes.

38104. Has your Government considered whether they would not also combine nomination with a competitive examination for the candidates?—I think the Government are opposed to the principle of competitive examination on the ground that you very often have to look to other considerations at the time you are making the selection. It might be necessary to recruit a Punjabi; and it might be necessary to have a Muhammadan. On looking at the candidates as they come up there might be reasons which would make one more obviously desirable as an all-round officer than another. However carefully you might originally select the man, in the end the selection might be more likely to fall on the wrong man more than if they were selected throughout.

38105. The candidates are to be recruited to the Indian Civil Service?—Yes.

38106. Would it not rather contribute towards their position in that connection that they should enter through a competitive examination rather than merely through nomination and a qualifying test?—I think if we once introduce the competitive examination system it would make a difference between them and the men who get in in the ordinary course at Home. If it was acknowledged that they were men recruited entirely

on personal considerations and sent over to join the Service on probation, there would be no question whether or not they would have beaten the other men on examination.

38107. You think that under that system they would be more likely to enter the Service on an equality with the Indian Service officer who had gone through the competitive examination than if they went through a somewhat similar ordeal, although that ordeal might be in India?—I think so. There would be no question then of trying the two men by the same standard, and arguing whether one standard was higher or the other lower. They would be like the King's cadets in the Army.

38108. Any way, as I gather from your answers, you anticipate that when they join the Service, whether it be by a competitive or by a qualifying examination, they will ultimately serve on an equality with their colleagues who have gone through the competitive examination in England?—Yes.

38109. You would also keep the present listed post system as providing an incentive for the members of the Provincial Civil Service to do good work?—Yes.

38110. You have, at present, five officers in the listed posts?—Six at present. There is one temporary Additional Judgeship which is filled by a member of the Provincial Service.

38111. You favour 20 to 22 as the age-limit for entrance?—Yes.

38112. Do you not think that this might run the risk of cutting right across the University course?—That has been considered, and I believe it would undoubtedly cut across the Oxford "Greats," which, I am afraid, is absolutely barred by that. It was thought on the whole that it was necessary to have the two years' probation.

38113. You have thought it out carefully; but, at the same time, would it commend itself to you personally to recruit earlier, say, nearer the school-leaving age, and to have a three years' course to follow with provision made for an Honours degree?—I only heard that suggestion made within a day or two ago. I do not know yet whether it would be possible to get the Universities to establish such a course, or whether it would be possible, in view of the complaints we have heard of, owing to the jealousies of other Universities of Oxford and Cambridge. If that were done it does seem as if that would be a solution but I am afraid I must admit that we have not thought that it was possible.

38114. Of course it is on the assumption that the Universities in England would fall into line with such a suggestion?—Yes. The system under which I was myself recruited was that I passed the examination at eighteen; I went to the University, and for the two years I was there I was *in* it but not *of* it; and that was the objection which hitherto I believe prevailed with Government in suggesting a reduction of that age. The scheme you have now mentioned had not been considered.

38115. You would regard it as a serious objection if the opportunity were denied to those who were desirous of passing through the Honours course?—Certainly.

38116. As regards the Universities in India, would any difficulties arise in connection with the degree there?—At present an Indian student passes the matriculation at sixteen, not before. The course for the first degree, B.A., is four years. It can therefore seldom be passed before twenty-one, and in no case before twenty. That does distinctly put an Indian graduate at a disadvantage.

38117. There is one University where the matriculation is at fifteen?—I am not aware of that.

38118. I see your Government are prepared to give senior members of the Provincial Civil Service the designations now enjoyed by the junior members of the Indian Civil Service. Would you personally be prepared to go further and allow all Deputy Collectors to be called Assistant Collectors? They do the same work, do they not?—Yes. Frankly the title which is really coveted is that of Joint Magistrate, not Assistant.

38119. With reference to your answer to question (49), can you tell us why your Government is opposed to the establishment of a separate institution in England?—It would probably be better for men in training to see people doing something else than their own particular kind of work. If they are shut up in one place it will probably be not half such a good life to live in always as a big University. They will not meet nearly so many people; and also the expense would be so enormous in starting on a complete scale that it would probably be an inferior place.

38120. You set great store by the catholic atmosphere of the University?—Yes.

38121. At the same time, I suppose, you would like to see a more specific means provided at the Universities for the particular training necessary for the Service?—Certainly. It is a great pity when the special training is outside the University field.

38122. Turning to question (60), is it your experience that the high standard laid down in your answer relating to the training of junior officers is kept up in practice?—So far as I have been able to judge, I think it is. The Collectors are reminded every year when each batch comes out.

38123. We have heard a great deal of evidence upon this point, emphasizing the somewhat haphazard training which a young Civilian obtains under the recent system. It may be good, and it may be indifferent. Which would you regard as the most suitable districts for young Civilians to enter, rural or urban?—Rural, undoubtedly; right in the mufassal.

38124. In your Province do the young Civilians live with the Collector when they are under training?—In many cases they do; not always, but very generally.

38125. That, of course, is a great advantage?—Yes, a great advantage. I always had

Assistant Magistrates to live with me when I was a Collector here.

38126. I suppose careful selection is made of the officer who is to give the training?—Yes. We have a very small recruiting, only four or five a year, so we are able to choose our men.

38127. In answer to question (62) you lay great stress upon the Departmental examinations. You would assist officers further in acquiring the vernacular. You are of opinion that the knowledge of the language possessed by members is less than it used to be?—Senior men, less.

38128. You say that tours in the mufassal are intermittent. Could you tell us, approximately, how many months on an average a Revenue officer is in Camp throughout the year?—He should be from ninety to one hundred and twenty days as a minimum. I think most districts keep that up. At headquarters district, such as this, however, it is not possible to do that.

38129. But that is not ninety days together, it is intermittent throughout the year?—Yes, it is intermittent; but the bulk of it is done in the cold weather.

38130. You refer to the fact that excessive work leaves little time for study. Could you tell us about the problem of overwork in this Province so far as you have been able to observe it?—Take this district here. The Collector, in addition to his regular duties, was, until he was relieved a few months ago, Chairman of the local Municipality. It is a large town, and there are very difficult sanitary problems. He also had this year to superintend the acquisition of land for the new Capital, and for new buildings. The result has been that he has had to have an unusual amount of assistance given to him. I am living with him, and I know he is at work continually the whole day right up to the night. The men are undoubtedly worked to the fullest extent which they can manage. We find, consequently, that when big reports are called for it is very often difficult to get the information, and it is not possible for the officer to give the full amount of attention to it which is required.

38131. You have Additional District Magistrates and Assistant Judges?—We have no Additional District Magistrates. We have not come to the state of appointing one.

38132. You anticipate their appointment in the future?—I think it is very probable that one will have to be appointed in this district very shortly; and if the impression which we have as to the work in other districts is correct, it is probable that in several other large districts they will also have to be appointed.

38133. Of course that will relieve appreciably the work of the Collector?—Yes, very materially.

38134. Have you got Honorary Magistrates?—Yes, throughout.

38135. Can you tell us what proportion of work they do?—We have some figures which show that for the past five years it has increased, from 10 per cent. in 1907, to 13·5 per cent. in 1910, and 12·5 per cent. in 1911. About one-eighth of the work is now done by them.

38136. Have any of them first-class powers?—Yes, in exceptional cases.

38437. You find that the work is being done satisfactorily?—On the whole the Commissioners report that a great deal of good work is done by the Honorary Magistrates.

38138. Please turn to your answer to question (73): I see you have eight officers of eight years' service and over, drawing less than Rs. 1,000 a month?—I should like to modify that. At present the first four officers in the list are all holding superior posts.

38139. So that it is reduced now to four?—Yes, it is reduced now to four. As a matter of fact, No. 7 is also now holding a superior post temporarily.

38140. In fact, now there are only three officers?—Yes, there are only now three officers.

38141. Which officer has the longest service of these three, and what is his salary?—Mr. James is a second grade Joint Magistrate substantive, officiating first grade, and he is drawing an allowance of Rs. 150, so that his total salary is Rs. 1,150.

38142. How many years' service has he?—Just over eight years. He completed eight years' service last October.

38143. You have not got the serious blocks in promotion here at present which we have come across in other Provinces?—No.

38144. You state that the number of inferior posts allowed you under the existing system is likely to be insufficient. What are the posts which you hold must be filled by junior Indian Civil Service officers, and cannot be made over to Indians?—These figures are based upon the recorded orders of the Bengal Government some five or six years ago. They held that twelve sub-divisions in this Province should be held by Civilians, to which we have to add two, which, under the present conditions, require the same; one owing to its being infested by armed gangs of savages from the Feudatory States; and another owing to the growth of the coal industry in its midst. So that there are really fourteen of these against twelve which Bengal had fixed. Then, in addition, there are eleven posts of Joint Magistrates at headquarters. Of these we were only able to fill five during the last cold weather; and four of the officers who were so employed have already gone, or are on the point of going, to district charges in the hot weather. Those districts will remain for the whole of the hot weather without Joint Magistrates. That is to say, that out of eleven Joint Magistrates we shall only have one.

38145. Assuming that your number is insufficient, and you have to add to it, how

would you meet the problem of multiplying the junior posts without diminishing the prospects of independent work?—That is the reason why the Lieutenant-Governor has accepted the orders of the Government of India to see how it works. The Government realise the danger you refer to, and are trying to see whether it is possible by shifting men about from place to place to meet the difficulty; but with only one year's experience they hesitate to give a definite opinion.

38146. In answer to question (82) you say that officers of under eight years' service frequently take six months' leave. In other words, is this becoming a regular practice?—I think it is.

38147. Does this in any way interfere with the calculation of postings?—Yes. We have had to ask officers to give us six months' notice before they apply for this combined leave unless it is for medical or very special reasons.

38148. Will it not necessitate, almost, a recasting of the calculation for leave reserve?—In making the yearly postings it upsets the work completely unless we have very long notice.

38149. In answer to question (89) you mention the difficulty with regard to certain superior posts. If senior officers were appointed rather than juniors, would not the difficulty be met?—Yes; but the difficulty arises. The illustration we took, perhaps, was not the best. Had we said "Settlement officer" it would have given the point. For instance, there are five Settlement Officers in our Civil List, none of whom are yet permanent Collectors. They are all under the system. Before these orders of the Government of India they went up automatically. As soon as a man below them officiated as Magistrate, they officiated too, and they got their settlement allowance. When a man reverted they reverted also, but kept the settlement allowance. If one of these men vacates the post the man who is to succeed him is the man who acted as Assistant, obviously. But those Assistants are, again, a long way down the line.

38150. Your Government favours a time-scale. We have on record a great deal of evidence about this. All I would ask you with regard to the proposal made by your Government is, whether you would allow all officers, including those who may be rejected for the charge of a district, to draw increments beyond a certain amount?—I am afraid I must say that the time-scale was drawn up by my colleague Mr. Kershaw, the Financial Secretary, largely on actuarial grounds with which I am not acquainted, and I am hardly qualified to answer upon that point.

38151. We will ask him about it. I only bring this forward because elsewhere, where a time-scale has been discussed, Rs. 1,500 has been the extreme limit for officers. In your written answer to question (98) you say that reversions are announced several months after they have taken place. What do you mean by "several months"?—I have here two notifications of the kind which have been issued, and I would ask permission to put them in. [*The documents were put in.**]

38152. We should be glad of any facts you can give us with regard to this?—One of them was issued on the 5th December, and the other on the 7th February. Those are the only two issued. Yesterday the Collector of this district brought me a retrenching slip from the Accountant General retrenching him rather more than two months' acting allowance. That was the first intimation that he had reverted, and it means that one-third of his salary will be docked on the next pay day. He is an officer who has to make remittances home.

38153. That is a typical case?—It is not an uncommon case, certainly.

38154. As regards leave, all you recommend is a simplification of the rules on the lines of the Government of India's proposals?—Yes, and the increase of the maximum furlough allowance to £1,250.

38156. Assuming that the latter concesing the £1,000 pension, but you would like to make it non-contributory, and you would like to see the present 4 per cent. deduction allocated to a fund for the benefit of the officer concerned or his family?—That is the Government recommendation.

38156. Assuming that the latter concession was made, would you agree to the foregoing of any of the £1,000 pension?—I am afraid here, again, I have not fully considered this part of the case. It, also, was Mr. Kershaw's drawing up, chiefly.

38157. As regards the difficulties caused by the present scale of allowances on transfer, is that, again, a point that we should get from Mr. Kershaw?—I think I can say from personal knowledge that the loss is very heavy on every officer.

38158. Apparently it is your experience that the expenses are sometimes five or six times as great as the allowance?—That has happened to myself. I have had twenty-seven transfers in the course of my service.

38159. So that you regard it as a real hardship?—It is.

38160. Could you tell us anything about the claim about to be represented by some witnesses that the Sub-Deputy Collectorship should be incorporated into the Provincial Service. Upon what is that claim based?—I take it that the claim is based, first, on the fact that under our rules the qualifications are very much the same. In both cases they are required to be graduates, to be Natives of the Province, of good character, and good health, and so on.

38161. In that connection is the qualification different from that of Tahsildars in other Provinces?—I believe it is. I am told that it is not a condition in other Provinces.

38162. The qualification, therefore, is precisely the same for the Deputy and the Sub-Deputy Collector?—*It is of the same kind,*

* *Vide* Appendix II.

but of less degree. There is practically an understood condition that the degree for the Provincial Civil Service must be a degree in Honours except in exceptional cases.

38163. Are there any other points you wish to bring forward?—The work done is also very similar in kind, and particularly so with the Sub-Deputy Collectors who are posted to Sub-Divisions as second officer. They invariably exercise magisterial powers of the second or third class. They do a great deal of criminal work, and practically carry out most of the Sub-Divisional officer's duties, when he is on tour, at headquarters. Then they are also employed very largely as Assistant Settlement Officers, as special officers for carrying out partitions, for land acquisition, and famine relief. Above all, Sub-Deputy Collectors are employed in very large numbers as Assistant Settlement Officers in carrying out the records of rights in various districts.

38164. From your experience of India, are those functions which you have just described in any respect different from those carried out by Tahsildars in other Provinces?—They are certainly in advance of what the Tahsildars used to carry out in Assam, as I knew it in my early years of service there. I do not know whether in the United Provinces Tahsildars have been employed to carry out these duties of late years. I believe, originally, as their name indicates, they were merely Revenue Collectors.

38165. Generally speaking, you rather support this claim?—I should be inclined to do so, but for the fact that looking at our Civil List I find that there are only at the present moment two Deputy Collectors in this Province who have served more than ten years in that rank. There is a very large promotion every year to the rank of Deputy Collector. This year alone seven officers were promoted from Sub-Deputy Collectors to Deputy Collectors, and I am not sure that that does not give a fair field.

38166. Of course, you realise that this claim is one which has been made in this Province, but not in others?—I was not aware of that. I shall look rather to the improvement of the prospects of these officers than to increasing the status of those who occupy such positions as those of second officers of Sub-Divisions. Where the Sub-Divisions are large and important they require a first-class and not merely a second-class Magistrate, and that would necessarily be a Deputy Collector, and in that way would give promotion.

38167. Your system here is not so much one of territorial jurisdiction, is it, as of appointment for the time being by the Government to a District headquarters?—There is one exception. The Sub-Divisional Officer has his territorial jurisdiction, and his second officer also has subordinate jurisdiction, subordinate to him within that Sub-Division only. But all the officers employed on special duty, and, broadly speaking, officers carrying out the Revenue administration, are posted at headquarters for work throughout the District.

38168. In that respect you differ from other Provinces?—Except Bengal.

38169. Can you say how many officers in the Provincial Service, in both branches, have actually been passed over or left in lower grades under your selection process?—None in the first grade, and none in the second grade. Three officers were passed over for promotion in the third grade, and have remained in the fourth, of whom one has since retired on medical certificate. He was an invalid when he was passed over. One officer was passed over for promotion from the fifth grade to the fourth. He has since retired. He was known to be on the point of retirement at the period.

38170. So that it really amounts to two left in the force?—Yes, two left in the force.

38171. (*Sir Murray Hammick.*) Are you of opinion that it is desirable that the Indian Civil Service Indians should be appointed in India having respect to the Province to which they belong, and of which they are Natives?—I do not think it is necessary that they should be posted to that Province on coming out.

38172. I understood you to suggest to the Chairman that one of the objects of having a Committee who would select, and not having competitive examination, was that they would have regard to the Provinces to which these men were to be posted. I want to know whether you think it would be necessary to take care that a Civilian, for instance, in Southern India was not posted to a District in the North of India?—I was not thinking of their posting. I thought of the composition of the Service.

38173. You mean as regards the number of different creeds and classes?—Yes.

38174. And not so much as regards the geographical distribution of the Civilians?—No. It was not a question of what Province they were to serve in, but of giving any race which was left out in the cold this field.

38175. As regards this selecting body, which you propose to sit, I suppose, at Delhi, how would the candidates be selected that were to be put before this body? Would you leave it to the Local Governments to submit names?—I think it would be best, perhaps, if they were to apply direct, and that the Local Governments reported or advised upon them.

38176. That would be that any candidate may apply to Government to be appointed to the Indian Civil Service, and this list would be sent round to the different Provinces for report, and the first selection would take place by the Local Governments, and then after the Local Governments had struck out a certain number of those names, the remainder would go before this Committee at Delhi?—I think the Selection Board should examine the applications. Some, of course, they would strike out at once. They would send for the opinions of the Local Government and consider them, and then they would make their own selection.

38177. Is this Selecting Committee to sit in some central place in India and to personally interview all these candidates?—It is a question of the number of candidates, and the amount of selection you can do, in the first place. It might be necessary to send them to be examined locally, and to be reported on. You might have to send one member of the Selection Board to see the candidates in different places.

38178. You would only send them to England for two years?—For whatever period is the probation for the Indian Civil Service.

38179. Do you think a two years' probationary course for a boy of 20 to 22 would be sufficient to give him an insight into English character, and really give him some touch of the English mind?—It would be better if it were three years, if that were the same course for the ordinary Civilian getting in by the open competition. But you do not want to shorten up his course. You would have to rely upon the material being sufficiently good when it was picked.

38180. Do you propose that these men should go home to a University?—Yes.

38181. To a residential University?—Yes, a residential University: to be in college.

38182. With regard to your answer to question (37), I did not quite understand what you said about Joint Magistrates. You think it is necessary to retain the title of "Joint Magistrate"?—I think, frankly, that if you dropped the title of "Joint Magistrate" altogether, and used the titles "Assistant Collector" and "Deputy Collector," the senior Deputy Collectors would not feel that they were marked off from the juniors. The tradition in Bengal for many years has been that the criminal work at headquarters was done by the Joint Magistrate. The officers of the Provincial Civil Service mainly do that work now, and would like to have the title and the rank which it carries; the status, in plain language.

38183. You say that a great number of these districts are left without Joint Magistrates for long periods. Then the work is done by Deputy Collectors, I suppose?—Yes, I have said so.

38184. Is there any objection to the Deputy Collectors doing this work?—No. On the whole, I think they do it very well.

38185. The Deputy Collectors in Sub-Divisions do magisterial work too, I suppose?—Yes.

38186. Do they commit to the Sessions?—Yes.

38187. Try first-class cases?—Yes.

38188. So that, practically, the Joint Magistrate is only doing the criminal work of the principal Sub-division?—Yes.

38189. So that he does not differ, so far as his powers are concerned, from the Deputy Collector who is in charge of a Sub-division?—Not in his powers. In fact, his powers are rather less under the Criminal Procedure Code.

38190. It seems rather absurd to give him a title which other Deputy Collectors do not get?—The real reason is that the Joint Magistrate at headquarters is the Collector's and Magistrate's First Assistant, the man he relies upon, normally speaking a man of sufficient standing to be given appellate powers.

38191. Do not Sub-divisional Magistrates have appellate powers?—Not hitherto. They are being extended, but only in the case of third-class Magistrates.

38192. Supposing the Collector has not a Joint Magistrate, but only has a Deputy Collector, I presume he does not use him in the same way as a special Personal Assistant as he would a Joint Magistrate?—There are officers who do it.

38193. Does the Joint Magistrate in Bihar and Orissa do Revenue work in headquarters besides his magisterial work?—Yes.

38194. Is he in charge of a Division, of Revenue work, or does he simply assist the Collector?—He has general charge of the office while the Collector is out on tour; and he very frequently inspects the office for the Collector when the latter cannot do it. Perhaps the only work he absolutely does not do is the hearing of appeals or the holding of Revenue sales. When you have a Joint Magistrate of some standing at headquarters he helps the Collector in any branch of his work.

38195. These Sub-divisions in your districts are never put in charge of an Indian Civil Service officer?—I speak of those Sub-divisions which are always so put.

38196. As a rule the Sub-divisions are generally in charge of Deputy Collectors?—Yes.

38197. Have you any special Sub-divisions marked down for Indian Civil Service officers?—Yes, I give a list of those.

38198. Are those because they are specially important?—Because they are specially important, or because there are special duties in connection with them. One is a military cantonment, another contains a central gaol; and is also the canal headquarters. In some there are a large number of planters; and at the present time there is trouble between the planters and the ryots.

38199. How many are there?—There are fourteen altogether.

38200. Which are always in charge, as far as can be, of Indian Civil Service officers?—Yes.

38201. Are your Honorary Magistrates, who are first-class Magistrates, generally retired Government officers?—In many cases, not always.

38202. Have you been able to make first class Magistrates of men who have had no Government office experience?—Yes.

38203. Sitting on the Bench or sitting alone?—Some sit on the Bench and some sit alone. A good many Benches have first-class powers sitting as a Bench.

38204. As regards the training of your Assistants, does this Government get for the first two or three years of an Assistant's career in India periodical reports as to their progress from the Collectors?—Yes.

38205. And do they write and ask for opinions upon them?—Yes.

38206. Is it a regular thing that every Collector has to report confidentially on his Assistant every six months or so?—He has to do so on his subordinates once a year. In addition, before each Departmental examination, we look up and see how a young man is doing, and ask whether he is satisfactory and has passed each step before he is given increased powers. We write and consult the Commissioner and Collector as to whether he is fit for his post.

38207. As regards the colloquial examination, it has been suggested to me once or twice that it would be desirable to make an Assistant Collector pass in his books and writing early in his Service, and to have a very stiff colloquial examination in his third or fourth year. Do you favour a system of that kind?—Since we started stiffening the standard the men have responded extraordinarily. I know that the colloquial standard now is three or four times as hard as it was in my time. The young men have no difficulty in getting through it.

38208. You think that the probability is that for the last five or six years there has been a great improvement in the colloquial knowledge of young Assistants?—Of the younger men, I think there is, distinctly. Settlement training and sub-divisional work does that for them.

38209. With regard to leave, the officers in the Central Provinces put forward a strong proposal that every officer should be made to take one month's privilege leave, as they call it, they would rather put it in the way of casual leave: that is to say, an officer was not to have it on claim, but the Government was to consider, if possible, that he should go on full pay every year for one month. Do you think a proposal of that sort would be favoured in this Province?—I think not. In the first place we all get ten or twelve days at the Dussahra, which is always given if it can possibly be arranged for. Then there is another week at Christmas. That gives two good breaks.

38210. You would not like to see any interference with the accumulation of three months' leave?—No.

38211. You do not think it leads to men staying on when they really ought to take a holiday?—I think it is the business of a Commissioner to see to it that if a man is not able to do his work because he is ill, the Civil Surgeon should be put on to him, and send him Home.

38212. With regard to these Sub-Deputy Collectors, out of promotions to Deputy Collectors, how many, as a rule, do you get from Sub-Deputy Collectors, and how many are appointed direct? -I have the conditions of appointment here. Normally we appoint seven as against ten: seven from the Subordinate Service, and ten direct.

38213. Has that rule been kept to?—We have only had one year.

38214. If that rule is kept to that gives substantial promotion from the Sub-Deputy Collector grade to the Deputy Collector grade?—Yes.

38215. These Sub-Deputy Collectors, I understand, are very much what Tahsildars are in other Provinces, only they are called by another name?—Yes; except that they do not have the small circle or charge under them.

38216. They do not have special charges?—No.

38217. They are used everywhere as Assistant Deputy Collectors?—Yes.

38218. Many of them are first-class Magistrates, are they not?—None of them are first-class Magistrates. They are second and third-class Magistrates.

38219. Without power to commit?—Without power to commit.

38220. And the appeals from these Magistrates go to the Joint, or, sometimes, to the Deputy? You told me that some of the Deputies have appellate powers, and some have not?—Yes, that is so.

38221. From what you know, do these men have a real grievance? Is the service distinctly unpopular?—I think the whole thing is this: the difference between the calibre of the candidates for the two classes is so small, it is of degree and not of kind, that the man who does not get a Provincial Civil Service vacancy thinks himself very hardly used for the rest of his service. Sometimes it is a close thing. The Commissioner sends up two men's names, both as alternatives, for the Provincial Civil Service, and then he sends up two men's names, as alternatives, for the Subordinate Service. Sometimes, instead of taking his first nomination for the Subordinate, we ask whether the second choice for the Provincial would take the Subordinate appointment, and he does very often. But he does it, of course, with the hope of getting promotion.

38222. The pay of these men is from what?—From Rs. 100 to Rs. 250, Sub-Deputies.

38223. It is actually the same pay as Tahsildars in South India get?—Yes.

38224. There is one distinction you have not got here which they have in other places. The Subordinate Service is locally recruited. Your Commissioners do not recruit from this service at all. It is all done by the Lieutenant-Governor in Council?—The Commissioner nominates two names, one of which the Lieutenant-Governor accepts.

38225. The appointment into this Sub-Deputy Collector grade is made by the Government, and not by the Commissioners or Collectors?—That is so. That of course, is what gives rise to discontent: that the same Government is appointing the same class of men to two different grades of offices, one of which is superior, and the other inferior.

38226. Do these Civil Service Assistants who are in out Sub-divisions get their house rent free?—All Sub-divisional Officers get their houses rent free.

38227. Are they generally Government houses?—Yes. There is one case in which a Sub-divisional Officer gets Rs. 50 a month for house allowance, and hires his house.

38228. It amounts to the Sub-divisional Officers getting a considerable increase to their pay. No officers except in Bengal get Rs. 50 a month for house allowances?—No, except in Assam and Bengal.

38229. (*Mr. Chaubal.*) Your scheme of selection would not meet the grounds upon which the advocates of simultaneous examination put forward their scheme for larger recruitment of Indians, would it? The grounds which are put forward for proposing simultaneous examination are mainly that the best of Indian students are kept back from competing at the open competitive examination. These grounds would not be met by the scheme you have suggested?—I suppose not.

38230. May I know what your opinion would be upon a view which is pressed upon us in some places, that the representation of classes and communities is not so important in the higher Service as in the Provincial Service, and that the recruitment to the highest Service should be on the same basis as by the open competitive door?—I suppose in a degree that is correct. I think if the Service became entirely the monopoly of one race the opposition would make itself felt very keenly.

38231. May I know what would be your opinion of keeping only one process of recruitment, the open competitive examination in England, and getting over the ground which is proposed by the advocates of simultaneous examination by extending the present system of Government scholarships? At present you know that there are two Government scholarships given for candidates who are proposed by the University to be sent Home for study at Cambridge and Oxford, and appear for their Indian Civil Service examination. Supposing the ground which is put forward by the advocates of simultaneous examination is met, by extending this system of scholarships, what would be your opinion as regards that scheme as compared with your system of selection?—Perhaps the two things are not quite on the same footing. Personally, I should be exceedingly glad to see anything which enables a large proportion of competent Indian students to compete in London. If it is absolutely the case that a large number of competent candidates are deterred from want of means, I would welcome any means of giving them the necessary assistance to compete. There are at the present moment some two thousand Indian students in England.

38232. Not for the Indian Civil Service?—Perhaps not. But it does appear to me that the difficulty of going Home must be somewhat exaggerated if so large a number of Indian students go Home of whom a large number have a great chance of passing the examination.

38233. I do not think that the advocates of simultaneous examination say that Indians should not go in in large numbers for such vocations as, say, the Bar, and the medical profession, and other things. A man can go in for medicine, for instance, until he is 28 years of age, and he can go in for the Bar at any time. I know of several instances where persons after having practised ten or twelve years have gone Home to be called to the Bar. But it is not correct to say that that proves that for the Indian Civil Service the best Indian students should not be kept there. That is supposed to be believed; and I do not think the mere fact that there is a large number studying for different things in England quite disproves that. I put it to you in this way. There are certain circumstances which make a simultaneous examination very inexpedient and not proper to grant. A simultaneous examination, if granted, is sure to cost a certain amount to the revenue of the State. There would be no objection to spending that money, but for the other effects of simultaneous examination which you apprehend. Therefore, instead of spending that rev[illegible] for a simultaneous examination, utilise i[illegible] sending the best Indian talent by either handing over the selection of candidates to the Universities, or adopt the process I have described of extending the present system of Government scholarships, so that the money will be best spent. It will not bring in its way the disadvantages which are apprehended from simultaneous examination?—I do not think I can see any objection to a suitable system which will help candidates to go home.

38234. Supposing for any reasons it is desirable in the interests of British candidates that the age should be lessened, either to what you have proposed, or to an earlier age even, would there be any objection to keeping a slight difference of age between Indian students and the English candidates appearing at the open competition? Supposing you take the University age (the University age is a certain age in England) and you find that to enable Indian graduates to appear you ought to fix a certain limit, would there be any objection to recognising the difference of a year and a half or two years between the English and the Indian students, assuming that the graduates from India are permitted to appear at the open competitive examination?—I see your point. I fully appreciate that it is a particularly strong one. It would require a very careful comparison of the re-

lative calibre of the candidates, and the difference in their capacity which such a difference in age would make. *Primâ facie*, I think, of course, it is fully arguable, and it might be absolutely necessary to grant it; but I should like to know a little more about it.

38235. (*Mr. Fisher.*) I see your Government is very anxious to restore *vivâ voce* competitive examination. Do you think it would be practicable to have *vivâ voce* examination in the 38 different subjects now offered for examination?—I am speaking of the time when I was examined. I was *vivâ-ed* in about a dozen subjects.

38236. It was more easy for boys than it is now?—Yes.

38237. I think that is probably the reason why it will have to be abandoned?—It may be impossible, but it would be advisable to have an oral examination if it could be done.

38238. Supposing the age of the examination were put back to 19, the school-leaving age, would there be any objection to allotting the successful candidates to their respective Provinces at the age, just after passing: would there be any technical difficulty in the way?—I think not. It was done in my time.

38239. I had a sort of impression that it was done at the last examination?—I believe it is now. But when I passed we were allotted to our Provinces immediately after competition.

38240. Assuming the candidates pass at 19, and they are sent to Oxford and Cambridge, for, say, a three years' probationary course in Indian subjects, would you advise any differentiation of subjects according to the Provinces to which the various candidates have been allotted?—The law course would have to be varied in some respects, particularly Revenue law. It would be necessary that each student should understand something of the general land systems of India, and, in particular, of the Province to which he is to be assigned. Of course the thing would naturally differ according to the Province, as at present.

38241. Therefore some additional complication would be introduced into the system owing to that necessity?—To a certain extent, there must.

38242. Would you advise the candidates so selected to study a classical Indian language?—In my time we were always very strongly advised to do so. In most cases, except for those who were going to the United Provinces or the Punjab, we were always advised to take Sanskrit.

38243. And those going to the United Provinces and the Punjab took Persian?—Yes.

38244. Would there be any particular value in the study of Arabic?—I have no doubt if an officer was going to a Province where educated Muhammadans are numerous it would be very valuable to him; but, from all I can hear, I am afraid that in India Arabic literature is not at present in a very flourishing condition.

38245. On the whole, you would be disposed to recommend that provision should be made for the study of the three classical languages, Arabic, Persian, and Sanskrit, in your School of Indian Studies?—Certainly.

38246. And you would wish your School of Indian Studies to be half devoted to Law and Administration, and half to Oriental languages: would that be about the proportion?—There are other things, of course, which would have to come in, Indian History and Geography.

38247. Ethnology?—Yes; and Political Science. That, I suppose, we would include under the head of "Administration."

38248. Do you think that the Indian candidates who might happen to be successful at the examination, or who might come to England under your scheme of nomination, should have a different course?—There would not be much point in their taking their own vernaculars, and probably, for those who had taken high degrees, it would do them good to take a classical language. They would work up for Honours in that. The saving in the vernacular, and in many cases, in law might be enlarged. You might have a man who had taken Indian Law already, and then it would be a question of finding other subjects in the University curriculum instead.

38249. (*Mr. Madge.*) From your answer to question (3) you think the present system of competitive examination gives the same conditions of training in a considerable measure to all classes of candidates. It falls short of complete satisfaction in many cases?—One year's training is an extremely short time.

38250. I do not mean the training, I mean the whole system of competitive examination?—Yes, a certain number of unsuitable men get through.

38251. By as much as it falls short of equalising the conditions of developing character, would you admit that it is not quite satisfactory for any but British candidates, of whom a good deal may be assumed, but is not decided in the examination or in the subsequent training? I want to get your opinion upon that point?—Yes, as a test, of course, it is not perfect. It involves the assumption stated in the answer. "It was designed to find a rough-and-ready means of selection amongst candidates born and educated in the United Kingdom who were necessarily assumed in other respects to be equally suitable."

38252. Then in some cases the interval may be a long one?—No doubt.

38253. Your refer in answer to question (7) to the importance of *vivâ voce* examinations, and you emphasise the same fact in your answer to question (42). Do you think that the advantage gained in *vivâ voce* examinations corresponds in any way to the advantages which a Judge gains in observing the

demeanour of witnesses, and other things, that only come out in personal contact?—No doubt. In fact, that is what is intended.

38254. And where that opportunity is lost a great deal may be lost?—I think so.

38255. As regards the confining of Indians to their own Province, it has been said that by sending an Indian out of his own Province you secure, to some extent, if not entirely, some amount of the detachment that an Englishman possesses in India with reference to all Indians. Do you think that is a sound argument?—If you assume detachment is itself a good thing, of course it is; but I am not quite sure that that necessarily follows.

38256. Supposing the detachment is a good thing in respect of local influences, of which it is better to get rid, is the difference only one of degree, or of kind, between the detachment which an Englishman possesses anywhere in India and the detachment which an Indian possesses out of his own Province?—The peril which you wish to avoid is the same, I think.

38257. In kind, and not in degree?—You do not want an officer to be influenced by considerations which will affect his work. On the other hand, it may be a great advantage to you to have an officer who thoroughly understands the people amongst whom he is, and who may be the means of assisting very materially in improving the relations between them.

38258. In answer to question (13) you say, "The preliminary training which an officer who selects the Judicial Branch receives under the present system is of the utmost value to him in the performance of his duties as a Judge. His tours and Revenue and Executive duties, especially if he is employed on Settlement work, give him a practical knowledge of the actual conditions of village life and the relations between landlord and tenant which it would be impossible for him otherwise to obtain and the want of which would be certain to result in frequent miscarriages of justice"?—I should prefer to say that the lack of it puts the candidate from the Bar at a great disadvantage in connection with practical work.

38259. Which he might only atone for if he was a barrister of high standing or great experience?—Yes. I understand in some of the other Provinces Judicial Commissioners have been recruited from the Bar, and I have myself seen and known others who have held high appointments.

38260. Do you think that, as a rule, you could secure the services of a barrister of good standing who had fair prospects in his own profession?—I do not think it would be worth his while taking it except for very special reasons.

38261. With reference to the two systems to which you refer in your answer to question (16) as to the limits of age, do you think that the character is better formed at home under the conditions prevailing there or in this country?—I am afraid I must say that until very recently the question of developing character was not considered in Indian schools. I am aware, of course, that great progress is being made, but I do not think it has reached anything like that which is desired by the best Indian members.

38262. In answer to question (20) you say, "This Government fully accept the views and principles laid down by Lord Macaulay's Committee. In particular they strongly deprecate any attempt to recruit specialists whether for the Judicial or other branches of the Service"; and then in answer to question (50) you say, "Their future studies should be such as have a special tendency to fit them for their calling." I want to call your attention to the development which agriculture and chemistry and other technical branches have received in recent years: and to ask whether there is, or is not, any inconsistency between those two views. Do you not think that there might be some tendency towards additional special subjects being given in the syllabus?—You must remember that Physical Science and Political Science. and other various branches and other kindred subjects already form part of the syllabus.

38263. To the extent necessary for the promotion of agricultural and chemical research in this country?—I imagine that when a man has taken a Chemistry or Science degree in London or Cambridge he would be quite able to do it. He would have to carry on research work.

38264. Under entirely different conditions?—No doubt.

38265. You want law and language to be studied at home. Do you think language can be studied to any practical purpose out of the country in which the language is spoken?—I am convinced it is not possible to get in India a proper grounding in grammar and the structure of the vernacular languages.

38266. I am not looking at the subjects from a scholastic point of view, but from the practical utility of colloquial language?—I quite admit when the young man comes out he cannot talk, but he picks up the language much quicker.

38267. From having studied it at home?—Yes. Take candidates of European birth selected here and you will find it takes a much longer time for them to pass Departmental examinations than for Civilians to pass who have had a year or two's training at home.

38268. And you think that the existing system is quite satisfactory?—I think so.

38269. You said that there was shortage of Joint Magistrates and then their duties were deputed to be done by Assistant Collectors?—Deputy Collectors.

38270. I suppose the Assistant Collectors have the same powers?—An Assistant Collector is an officer entirely under training.

38271. (*Mr. Abdur Rahim.*) Do I understand that your scheme for the selection of Indians for the Civil Service is intended to be supplementary to the open competitive examination?—Yes.

38272. Is the selection to be made at the same time or after the result of the open competitive examination in England is known?—That I think would have to be decided.

38273. I take this to be supplementary?—Yes, or rather I should put it in this way: the main entrance would continue to be by open competition in London; but all posts which have to be added to the cadre of the Civil Service in future would be recruited in India by this method.

38274. Then this method of selection is not to apply to the present cadre of the Civil Service?—Not unless for other reasons that cadre is reduced.

38275. Then this selection is to come into operation only when certain posts are added to the present cadre?—And of course to maintain the proportion of recruiting which is involved by depletion in that number of posts.

38276. You mean the elimination of certain posts in the present cadre?—Not altogether so. There are in this province altogether 54 superior posts. The strength of the cadre is 109. Certain additional posts have been asked for and the cadre will relatively, in a short time, increase to 120 or 130. There is this number to be added, the difference between 11 and 21 posts, and there is a proportion of yearly recruitment.

38277. But until this addition or increase is made to the number of posts, your system does not come into operation?—No.

38278. Then the only door open to Indians would be the competition as it exists at present in England?—And listed posts.

38279. And listed posts?—The Government have certain powers to make direct appointments; that is, to listed posts.

38280. You do not suggest that it would be possible for this Commission to decide during this inquiry what would be the increase in the number of posts for the Civil Service necessary for the administration in different provinces. You know that the problem of dividing districts is very difficult. It takes years to divide districts. It has been so in some cases?—I know that is so.

38281. One of the questions upon which we should like to have your opinion is the larger employment of Indians in the administration. In your idea it is not possible or practicable for us to make any suggestion on that point?—I am not aware whether the terms of the reference include the sufficiency of the existing cadre.

38282. Perhaps you may take it that we could not possibly decide it during this enquiry, without going into a large number of administrative questions. For instance, how many additional Magistrates are required for Bihar and Orissa or whether certain districts are not too heavy and ought not therefore to be divided into smaller districts, and the same in other provinces—these are administrative questions of great magnitude?—Quite so.

38283. And we could not possibly in this enquiry be expected to decide those questions, so that the result would be according to your idea, that we cannot lay down anything regarding the larger employment of Indians in the Indian Civil Service cadre?—May I mention to you that I have already in answer to the Chairman stated that the greatest difficulty which this Government suffers under is to give any such information as is required owing to its extreme youth. In that respect the answers we have given are unsatisfactory and incomplete; and we are afraid that the only answer we can give is that we have not sufficient material before us to go upon.

38284. Therefore, apparently, your Government's answer does not meet the point of the enquiry, so far as this subject is concerned?—No.

38285. And as regards the Selection Board, we have this suggestion made. The objection urged against the Selection Board chiefly, as I have been able to understand it, is the danger of nepotism; and in working out that matter you have, I suppose, considered the point, and I take it that you think that if you have a qualification like that of the Honours Degree as a preliminary condition and if you have a Board consisting of five officials and certain non-officials also, as you have suggested, that danger will be considerably minimised?—I should think so certainly.

38286. May I take it also that why you have suggested this method of selection in preference to the competitive examination is that by this means you would be able to give effect to other considerations which it would not be possible to do under a scheme of competition?—Yes. The answer to question (3) implicitly involve this. The candidate who undertakes a journey to England and the attendant expense and risk, may be assumed to possess qualities of determination, of courage and of self-reliance which mark him out from amongst others. In the case of the candidate who is not able to undertake that, you have not got the same means of feeling assured that he has similar qualities.

38287. I think you will agree with me that the question of the larger employment of Indians in the administration of this country—that claim could be best testified on the ground that it will make the administration better and it would strengthen the administration if you have a sufficient element of Indians; and, under your scheme, if selections are properly made, having regard only to the qualifications of candidates and the claims of different provinces and communities, that idea would be much more carried out than by any method of pure nomination?—So we think.

38288. As regards the statement in answers to questions (3) and (4) I should like to have some information. You say that for a large number of years European officers should be employed in districts where the population of Europeans is large. Can you tell me what

you have in your mind?—At the present moment I am thinking of Manbhum.

38289. What are the figures as to population?—I am afraid I have no census figures. There is a large mining population and railway population around Adra, Jherria, and Dhanbaid.

38290. The European population is small in proportion to the population of the district?—Yes; it is, of course, small relatively; but its position makes it important and powerful.

38291. You mean that the interests involved are large?—The interests involved are very large. You are dealing with people who are in the position, every one of them, of being an employer or superior of several hundreds; and they are also people who, in many cases, are difficult to deal with. Many of them are not only not Indians, but not British. There is a large population at Tata's works, a population of 300 or 400 employés, many of whom know neither English nor any Indian language.

38292. Are there any other places like that?—That is a case by itself. But on the mining fields you find a large cosmopolitan population.

38293. Which districts are they in?—They extend to a greater part of Purulia, to Singbhum, up into Hazaribagh. There is also mining and prospecting, almost through the Uriya country and in the south districts.

38294. Two or three districts?—You may practically say the whole of Chota Nagpur and their adjoining districts.

38295. Not in Bihar proper?—Not in Bihar. Here you have an entirely different community.

38296. What is it?—You have indigo-planters and they are chiefly zamindars and large holders of renewable leases of lands under zamindars.

38297. Their position is not essentially different from that of other zamindars and tenure-holders?—From the point of view of the officer who has to deal with them, the matter presents difficulties. For instance, if there are disputes in which two parties are concerned, it is generally found that they become very formidable. The areas covered are large and the interests affected are great.

38298. The disputes amongst Indian zamindars—they assume a very large proportion too. I do not know if there are any peculiarities in these districts?—Perhaps no peculiarity; but in dealing with them there is actually a great deal of trouble.

38299. Are you able to suggest any general principle that where there are Europeans who have acquired some interest that ought to affect the consideration of the question of the employment of Indians in the administration?—I think it is very often the case that you have to look at the matter not only from the point of view of the place itself, but from that of the individual officer employed there. It is not fair to ask an Indian officer to go there. We do not say in all cases invariably we must follow that rule. We say ordinarily that we should give all facilities for administration. In that view, the Sub-Divisional Officer in such places must be a member of the Civil Service.

38300. I am asking you whether there is not the danger of carrying that principle too far?—We must be careful.

38301. As regards the judicial training, in reply to question (56) your Government seems to approve of attendance at English courts, and taking notes of cases during their study leave. As regards that subject, we have had some very competent witnesses, in whose opinion a study of that sort will not be half so useful as telling men, who have adopted the judiciary, to attend Courts in India, or to place them in training either under the High Court or under District Judges and making them do work as Munsifs and Sub-Judges?—May I say that the principle which this Government suggests involves employing them as Munsifs and Sub-Judges for a period of approximately two years.

38302. I know that. But as regards study leave, would not that time be much more usefully utilised if the young civilians under training for the judicial service are to receive their training under the High Court or under District Judges instead of proceeding home during study leave, because it is very doubtful whether the study leave will be fully utilised?—We have no reason to believe that it would not be utilised. We have had two cases in which the officers have, at their own expense, gone there to complete their course for two years in England entirely with the view of qualifying themselves for the more efficient discharge of their duties. We have had officers enquiring whether there were any prospects of any concessions being granted to them to enable them to undertake such studies.

38303. There is another consideration in the system of judicial work here. The procedure here is different from the procedure in England. They call execution cases there technical matters; but here procedure in execution decrees, which occupies a good deal of the time of the Court, is very different from the procedure in England. For instance, we have no Sheriff here in districts and it is only in the High Court we have. I do not know whether your Government has considered this aspect of the question—whether the time spent under training there would not be more usefully utilised here?—We are acting on this matter on the opinion largely of the Calcutta High Court—individual Judges of that Court, who have been members chiefly of that service. Individual members of that Court have from time to time kindly advised us on several matters.

38304. Do I understand that this opinion of your Government is based upon the opinion of the Calcutta High Court?—I should not have said Calcutta High Court, but the individual members of that Court who have given us

opinions on the matter. Not only this Government, but the Government of Eastern Bengal and Assam and that of Bengal have consulted a large number of the individual Judges of the High Court and our recommendations are based on what they all advised. I should also mention that this subject has been discussed for many years and we do not know what the individual views of individual Judges of the Calcutta High Court were.

38305. Supposing it was thought desirable that a certain number of District Judgeships should be thrown open to Indians, would you be opposed to their recruitment from the Bar direct?—Under the rules in force at the present time, you can make such appointments.

38306. That is very limited?—The fact is that we have had no applications so far as we know.

38307. Has any experiment been made? I do not think that any applications have been invited?—I must begin by saying that this Government can only speak with very limited experience, and so far as we are aware, there has been no application nor am I aware of any cases in Bengal where an application has been made for a District Judgeship.

38308. I think that is because there is no opening. The impression is that there is no opening in that way. Would you, on general principles, be opposed to a certain amount of recruitment from the Bar direct, so far as the Indians are concerned?—It comes again I am afraid to this, that I should have to ask what would be the calibre of the candidates.

38309. I put it to you like this. From the profession of law, Indians are in a position to supply High Court Judges, supply Munsifs, supply Government Pleaders, Public Prosecutors, Legal Remembrancer, Standing Counsel and Advocate-General. Do you think that they would not be able to supply District Judges?—I do not say that. Would a man who is good enough to be a District Judge, not wish for something better?

38310. The District Judge's position is a good position; it is only next door to the High Court and may lead to the High Court?—True.

38311. I suppose from your experience you will be able to support me that there are certain men at the Calcutta Bar who would not accept any appointments whatever, because their income is really enormous. But there are others, on the other hand, who have considerable experience of the profession, able men, who would accept the position of a District Judge?—You are referring to Calcutta; and I am not in a position from personal experience to say if men of certain experience and of sufficient standing are inside the Bar in Calcutta, and if they are it would be necessary to enquire as to how far they are acquainted with the existing conditions in the mufassal.

38312. As regards that, I may tell you one thing. Any Indian practising in Presidency towns is, quite generally speaking, perfectly familiar with the conditions of things in the district. He either has his home there or zamindari lands or connections there. There may be some cases in which he is not familiar, but generally speaking he would be. Is it not so?—I should not like to commit myself. It would be impossible to say that, without knowing what the candidate's general experience has been. Ordinarily speaking, a successful barrister, an ambitious Indian barrister, is not anxious for anything, except the High Court Judgeship. There may be circumstances in which these appointments are desired in Calcutta, because of their amenity in other respects possibly. Putting special circumstances aside, I am doubtful whether a man, who has established himself for ten years—that is the qualifying period which is suggested for the District Judgeship—would really care for this position while he is making an income of Rs. 1,000 or Rs. 1,200 a month, and would be willing to sacrifice his prospects.

38313. However, one who is familiar with the Bar knows it?—I am not prepared to categorically say "no."

38314. We have had opinions from men in the profession, men of considerable position. As regards the districts, we have had a suggestion chiefly that you can get Public Prosecutors and Government Pleaders and men corresponding to those Government Pleaders to accept the position of District Judge—men of that position and men of very great practice?—Would that be just to the Provincial Judicial Service.

38315. Suppose a number of appointments are to be made in addition to the listed posts? —With great deference, I do not see in what respect such a person could claim to be in a position superior to that of a man in the Provincial Service. He comes from the same class and he has probably taken the same degree, and he may have been in practice when the others started in life.

38316. Would you rather have the increased number thrown open to the Provincial Service?—If there is to be an increase, as I have said, I should rather meet the increase in that respect by a system of recruitment in India, which the Government have put forward.

38317. They are a different class of men from those from whom Munsifs are selected. Munsifs are selected from a class of men who have hardly begun to acquire any practice or experience—men only of three years' standing? —That is the minimum.

38318. Then you suggest that the three years' limit as regards Munsifs should be abolished on the ground that it does not give them sufficient time to acquire enough practice?— Not quite. Those three years convey nothing. They have no practice and it merely means that for three years the intending candidate is hanging about. He does not actually practise and he does not gain the advantage of practice in early days. He is merely wasting his three years.

38319. Do you not expect some sort of certificate from the District Judge or the Judge

before whom he has been practising, as to whether he has done any work and whether he has attended Courts very regularly or not?—I am not in a position to say what the certificates referred to are like as they go to the High Court and do not come to the Government. The tendency of a District Judge is to say that he can vouch for the fact that so and so has been attending regularly and has been devilling for some leading pleader. He might have simply taken permission to sit by him in Court.

38320. That is how a lawyer learns his business. It is some experience gained if the man has been attending Court and devilling for the senior and even if he has been sitting in the Court he would have gained some experience?—It depends how much he has been benefited by his knowledge.

38321. I find from the rules of the departmental examinations that, so far as the vernaculars are concerned, it is only the Bengalee, the Uriya and the Hindi that find a place; but Urdu finds no place?—Urdu character has not been prescribed.

38322. It is not entirely the question of the script?—You must remember that the languages were originally prescribed a good many years back. When we came here we found that Hindi was the language that had been adopted; and it is the language of the majority of the peasantry unquestionably.

38323. But Urdu is the language of the Muhammadan population surely of this province?—Yes, of the educated Muhammadans.

38324. And is it not a language a knowledge of which it is necessary to acquire even if he has to learn the Hindi properly?—I am afraid that I should not be in a position to answer that question. It is one which is very much discussed amongst linguists. You may remember that the change to the Hindi was made very largely on the authority of Sir George Grierson.

38325. I thought it was optional whether to take Hindi or Urdu?—No.

38326. Has your present Government considered this question?—It has considered it so far as it can and it has allowed the Bengal rule to continue.

38327. An officer passing in Urdu will, I suppose, know Hindi script and will be able to master the language better than those who do not speak or write Urdu?—That is, of course, admitted. In a district like those of Tirhoot and Shahabad, Urdu alone would not serve as a medium of communication with the people.

38328. Tirhoot is only one of the divisions?—The same applies to Shahabad and Gaya.

38329. Is there any objection to making Urdu an optional subject?—That has not been considered. There would be great objection to adding to the number of compulsory subjects and these rules deal with compulsory languages and standards?

38330. There would not be that objection if it was suggested that it might be made an optional subject?—I am not in a position to answer it. It is a very thorny question, as you are aware.

38331. (*Sir Theodore Morison.*) I do not know whether you are prepared to answer any questions bearing on your answers to questions (110) and (111). You know the reasons for maintaining the artificial rate of the rupee at 1*s.* 6*d.*, when considering the question of leave allowance?—It was fixed at that rate when the exchange compensation allowance was granted, the idea being that our leave allowance is only half pay and the exchange compensation allowance was granted on half pay and the same concession was extended to leave allowance, as exchange compensation gave to ordinary pay.

38332. If the exchange compensation were merged in consolidated pay, that historical reason would disappear. Is there any reason that you have in mind except the historical one?—Yes. If you merge the exchange compensation allowance in the ordinary pay, it is necessary to add proportionately to furlough pay.

38333. I quite understand it. Do you see any reason for increasing the furlough pay, rather than give it in this indirect manner. Do I understand that the present rates of furlough pay are satisfactory only on condition that one-sixth is retained?—That is what it comes to—12½ per cent.

38334. So in practice it would be better to that extent of 6¼ per cent.?—I take it that my amendment is good, but it hangs by the decision as to the exchange compensation allowance.

38335. With regard to your answer to question (119) you make certain suggestions regarding recurring annuity. I understand you to say that if you were to adopt the ordinary rule of thirty-sixtieths of your salary after 25 years' service, that would work out to £1,000. The actual amount is £1,181 from which deductions have to be made for contribution. That is the calculation?—That calculation is by Mr. Kershaw. I am afraid I cannot answer the details of this question.

38336. I suppose the same answer also applies to the subsidiary question as to how this annuity value is arrived at?—Yes.

38337. One other question I should like to ask you for information. Do you recruit Sub-Deputy Collectors here direct or have you got a grade corresponding to Naib Tahsildars?—There is no grade. The Board of Revenue recommend yearly one, two or three officers, either from the service of the Court of Wards Estates or from Assessors of Income-tax, which are different non-gazetted grades, for promotion for Deputy Collectors.

38338. So they are not all recruited direct?—Seven or ten are selected yearly. Of these two or three are chosen in this way and the rest are chosen direct.

38339. You do not recruit from a grade below that, like Naib Tahsildars?—No, there is no service of that kind. They are isolated appointments and do not form a regular service.

38340. One general question I wish to ask you. With regard to the institution of a Central Board for selecting candidates, we have had a good deal of evidence with regard to the appointment of Deputy Collectors, that the nomination of Deputy Collectors results in a good deal of undesirable touting for letters of recommendation and certificates of character. We are told that many young fellows consider it so degrading that they do not care to go round and get letters of recommendation or introduction for the nominating officers. We have heard it stated that this system has had the effect of lowering the young man's self-respect and it is an undesirable system?—I am afraid that applies too much in India to any system. Suppose you had a competitive examination limited by nomination—I have not seen unlimited competition suggested—there again the same thing will happen. Generally nominations come from district officers; they submit their nominations to the Commissioner and the Commissioner has a conference with the Collectors and makes a selection, and then this selection goes to the Government, so that a candidate will have to go to his own Collector, if he wants to secure an appointment.

38341. With reference to the Central Board to be nominated by the Imperial Government and which you recommended in answer to question (10), do you bring in the Collector there?—No, because it is rather too big a thing. I suggested in answer to the President that the applications which were considered by the Board worth considering would be sent up to the Local Government and the Local Government in that case would call upon the Collector to make a report.

38342. An alternative has been suggested and I do not know whether you can give any opinion upon that; that is, the selection should be made by the University or by the five Universities. Have you any opinion on it?—I think certain Universities might send up nominations, but I would not limit the selection exclusively to their list. At present the Calcutta University nominates to the Government every year a certain number of candidates.

38343. For Deputy Collectorships?—Yes. Similarly they might send up nominations for the Imperial Service. But I do not think it would be well to limit the selection exclusively to those nominated by them.

38344. Have you heard that these nominations, as a whole, do give satisfaction?—Those of whom I had personal experience have given very much satisfaction.

38345. Complaints have been made as to the necessity of getting recommendations. I suppose this abuse holds good in the case of the Universities?—I am afraid so.

38346. It is the same everywhere, wherever you go you have got letters of recommendation to deal with?—It is the same.

38347. (*Mr. Datta.*) You have better experience of the work of Deputy Magistrates than that of Munsifs and Sub-Judges?—Yes, certainly, except that I have myself been for a short time both a Munsif and a Sub-Judge.

38348. I believe you have better experience of the work of the Deputy Magistrate than that of a Munsif or a Sub-Judge?—Yes, certainly.

38349. The Deputy Magistrate is appointed to do the work of a Joint Magistrate. Both of them do the same work practically?—Yes.

38350. In charge of sub-divisions? Yes.

38351. Do you not think that some Deputy Magistrates do work as well as, if not better than, many Joint Magistrates?—Put in that form, certainly.

38352. Do you not think they would do equally well as District Magistrates, if appointed, in point of ability, honesty, integrity of character and impartiality?—I do not think you can predicate an absolute rule as to what men would do in circumstances which have not yet arisen.

38353. I do not say that of all, but I say that of some Deputy Magistrates, whom you consider to be able?—No doubt those are all officers who are selected to fill listed posts.

38354. Do you not think then that it is not absolutely necessary to have residence in England or to undergo a course in an English University, to become a District Magistrate?—I think it very greatly improves the probability that the officer would later on in life fulfil the duties of that appointment better, and it would probably make the difference between his making a brilliant officer and his being one who is merely able to carry out his work soundly and sensibly.

38355. If you select your Deputy Magistrate in that way, you get a tried man who has proved himself able in the work of administration?—You may also find that he has passed the best period of life and he is no longer equal to the strain of modern district administration.

38356. May I understand that it is not absolutely necessary to have residence in England or to be at an English University to become a good administrator?—There are exceptions to every rule; but I certainly think that these conditions greatly improve the future adaptibility of the officers and the development of their capacity.

38357. (*Mr. Hussain.*) Will you kindly refer to your answer to question (7) about the Imperial Service. One of the reasons why you deprecate the simultaneous examinations in India and in England is that an Englishman who is free from prejudices of caste, sect or religion is more likely to be an impartial judge than an Indian who has had no European education. Do you not think that a course of

study extending over two years which a successful candidate at the simultaneous examinations in India may be required to pass through in England would give him sufficient European education?—Not if he was not already a man of considerable force of character.

38358. As far as that principal point is concerned, namely, European education, that is one of the grounds why you deprecate the simultaneous examinations. That main ground will cease to exist if the man receives a course of education after he has passed the examination in India?—I think not.

38359. Under your system of selections you say that the candidate will be sent to England for a course of training. May I ask at whose expense?—That is already stated. He should have the passage to and fro and must have an allowance for his University training.

38360. Will he not receive his stipend?—The same allowance as is proposed to be made to the members of the Indian Civil Service.

38361. How do you explain the Maharaja Bahadur's objection on the financial grounds—that that would be one of the causes which would handicap the candidates? The Maharaja Bahadur objected among other grounds that the candidates who are selected would be handicapped. Why should they be handicapped?—I am afraid I do not quite follow that question. The Maharaja's dissent is stated here.

38362. In his note of dissent, one of the reasons given is the financial consideration of the candidate?—I am not in a position to explain the Maharaja's remarks.

38363. How were you impressed by it? This is one of the reasons upon which he objected. You already provide him with financial assistance. You make him independent financially and still the Maharaja Bahadur has objected?—Those are the Maharaja's views. I doubt whether I am at liberty to discuss the note of the Maharaja of Darbunga.

[The Chairman informed the witness that if he did not desire to express an opinion, he need not do so and the witness replied that he did not feel that he was at liberty to express any opinion about it.]

38364. You say with reference to your answers to questions about the Provincial Civil Service and the number of listed posts, that out of the number of posts listed for the Provincial Civil Service, a portion only will be reserved for the Provincial Service and the balance will be absorbed by the supplementary system which you suggest?—I say that, taking the present cadre, it should be filled by the present methods. Any additions which may be made should be filled, by direct appointment in India.

38365. Kindly refer to your answer to question (128) as regards pension for holders of listed posts. You say that the maximum pension should be Rs. 6,000—"at least"?—Yes.

38366. Would you accept as fair and equitable an arrangement by which pensions should be so regulated that a man should get half the amount of his emoluments subject to a maximum of Rs. 8,000? Rs. 8,000 represents two-thirds of the pension which is ordinarily allowable to an Indian Civil Servant. If, therefore, for instance the ordinary pension of the Indian Civil Servant, after deducting the amount he secures by his own contribution, comes to ordinarily Rs. 1,000 a month or Rs. 12,000 a year, do you think that it will be fair that a member of the Provincial Service retiring from a listed post, should get Rs. 8,000, which is two-thirds of that amount?—That would require an examination of the figures. We should consider what extra charge it will involve. It would also probably require an examination as to the number of years for which the listed posts have been held. In principle, as you will see from the answers given by the Government, they are not opposed to a scheme of increased pensions. These answers were submitted without knowing what the wishes of the Provincial Services were. The Government was therefore willing to give general opinions on the questions. We will examine any suggestions which are made in the light of the charges that they would involve on the revenues of the country.

38367. The maximum you have suggested is Rs. 6,000 and you also referred to men of the Provincial Service who may rise to Commissionerships and for whom you provide full pay. What about their pension?—Precisely the same question arises again. We took the existing sanctioned pension and stated that it was obviously desirable that this small concession should be made at once. What further concessions will have to be made will have to be considered in the light of the expense which they will involve.

38368. Will you refer to question (99)? Cou draw some comparison in your proposals regarding the time-scale of pay to the members of the Indian Civil Service, and the members of our Service. You recommend the time-scale of pay to the members of the Indian Civil Service subject, of course, to approved work. This reservation of approved work you regard as sufficient to guard against or to meet cases of idleness or incapacity in the members of the Indian Civil Service. Is not that reservation sufficient?—Yes.

38369. If it is sufficient for the members of the Indian Civil Service, should it not be sufficient for the members of the Provincial Service, that the same general reservation should apply to them, instead of limiting their time-scale of pay up to a certain grade? Your proposal is that the time-scale of pay should be applied up to a certain grade of the Provincial Service and not above that?—That has reference to the existing prospects of the two Services. "Subject to approved work" would probably be held to represent the test of promotion to District Officers, and similarly in the Provincial Service the regular line of

promotion is drawn under the existing rules above the 5th grade. Above that, it is distinctly provided by the existing terms of the service that promotion shall be by selection. It is a question as to whether the officers who would get promotion by selection are not entitled to claim that that condition should be maintained.

38370. If they claim it, there is the reservation of "approved" service. If you say that the service is not approved, what will happen?—Excuse me. There are four officers at the top of the 5th grade and the best man is the fourth in the list and he could claim —I should not say claim—he would be entitled, under the present rules, to be—and he would be the man that would be—selected for promotion. But if you have a time-scale, he would suffer in his rise. In my opinion, my answer to your question is that the terms of the two conditions, are put down, in regard to the existing rules of the respective Services.

38371. Supposing that the time-scale of pay is not ultimately adopted—and you have also referred to it—you would propose to level up the Provincial Executive Service to the present position of the Provincial Judicial Service, as regards the number of posts on Rs. 600 and above?—Yes, in any case, the opinion of the Government is that the number of posts in the higher grades is too small, and should be so increased as to afford reasonable prospects of promotion.

38372. If it is levelled up to the position of the Provincial Judicial Service, are you aware that the promotion in the Provincial Judicial Service is now extremely slow and therefore, if you level up these two Services to the same position, the position of the Executive Provincial Service will not be materially improved?—Surely, even supposing that we take the existing number of posts and you had at the top a pay of Rs. 1,000 instead of Rs. 800, that would be a material addition. I am prepared to concede that it would not be fully meeting all the legitimate claims of the Service, but I do not see how you can say that an increase in the superior grades would not have a very marked effect.

38373. (*Mr. Fisher.*) Opinion has been expressed to the effect that it would be desirable that candidates after they pass the competitive examination should adopt either the Judicial or the Executive line, so that their probationary course might be shaped accordingly. Would you approve of such a suggestion?—No. I think a man discovers his fitness very often only when he is out in the country.

38374. (*Mr. Chaubal.*) I want to have your opinion in connection with your answer to question (37), which deals with the merging of the inferior listed posts. I will put to you the view which has been expressed in one or two provinces as regards this merging. The inferior posts which are now merged in the Provincial Civil Service cadre as such draw higher pay than that of the highest grade of the Provincial Service?—Excuse me, not all, because the pay of the post of Joint Magistrates, second grade, and of the post of Assistant Collector is Rs. 700 and Rs. 500, both which rates of pay are already drawn by the members of the Provincial Service. Posts on Rs. 900, Rs. 600 and Rs. 500 were added.

38375. As regards the posts on Rs. 900 grade, that is Rs. 100 more than what the Provincial Service men get?—Quite so.

38376. The point of view from which some members of the Provincial Service look at this is: the merging of these posts and the reducing of their salary to two-thirds has really done nothing more than adding a few posts to the grades of Rs. 500 and Rs. 700?—That, I think, is correct.

38377. In this merging, the Provincial Service does not at present in any way feel that any of its members are occupying the posts once held by the members of the Indian Civil Service?—Yes; that is, of course, true. The posts when held by the members of the Indian Civil Service not only had higher pay, but also had special designations. It was expected, when they were transferred to the Provincial Civil Service, that they should carry two-thirds pay. I do not think that the Provincial Service can fairly or justly complain of this, so long as the principle of two-thirds pay holds. The addition of a certain number of posts to the higher grades in the Provincial Service was unquestionably a distinct benefit to the junior officers, because they all got a little promotion; but that promotion has ceased to have any effect now, owing to the large increase in the Provincial Service, and the little addition has become merged in the general rise and has been lost sight of. There are in this province half-a-dozen additional posts which the Service would not have held but for this merging. But there are 20 and 30 other posts put in for entirely different reasons. I have always regarded as the real grievance the loss of the status, rather than the loss of pay; and you will have observed that the Government are quite prepared to consider the question of giving them the status.

38378. I wish to have your opinion on this point. The headships of districts are recruited, no doubt, from the Provincial Service. What would be the objection to recruiting these headships of districts from persons holding those posts which were taken from the Civil Service cadre, and which are at present merged into the Provincial Service. That should be the training ground where these people should receive a salary higher than the highest grade in the Provincial Service and that should be the recruiting ground for the headships of districts. I will explain to you one case. In Bombay, for instance, there are three Assistant Judges' posts which should have been merged into the Judicial Provincial Service. Those gentlemen who occupy those merged posts which were not really merged in that branch of the Service

are still called Assistant Judges and District Judges; and two District Judgeships which are listed as open to the Judicial Branch and headships of the district are available only for the men serving as Assistant Judges; and although originally these Assistant Judges were taken by selection from the Provincial Judicial Service, still they are the persons whose claims will have to be considered when the person holding the first grade Judgeship retires and then the next man succeeds him. It is one of these men that naturally gets into these places. There you see a distinct advantage which the taking away of these posts from the Civil Service cadre has given to the Provincial Service?—I think the same object is attained in this province and in Bengal by selecting those Sub-Judges, who are likely to step into such vacancies, for listed posts; and they are accordingly invested with the powers of Assistant Sessions Judge in addition to the powers which they have as Sub-Judges —Civil Judges. There are three officers so designated in the Province at present. Very much what you describe could be attained by marking down the officers in charge of the important stations, especially if they were given the title of Joint Magistrates. There is, however, one thing to be said about this. If you definitely mark out certain officers as the ones to be promoted, they may block better men, who may spring up below them. They may, when their time comes, have passed work and may not be fit for promotion. If you give them special designations or special posts and mark every one of the cases in which there is to be promotion, before the vacancy occurs, they may no longer be fit for it and then there will be a grievance to the Service and there is the danger of disregarding the service of officers who have worked well in the Provincial Service. Promotion by selection is an extremely difficult thing to carry out; but, on the other hand, there is this advantage which the so-called merged posts have given.

38379. If headships of districts are recruited only from this portion of the Provincial Service or from these listed inferior posts, then you will be able to get for headships much younger men than you now get from the Provincial Service?—That is so; but I may say that the great difficulty about these listed posts is that if you select an officer a long way down the list, with 30 or 40 senior to him, they will have a grievance and they will feel that their long service has been disregarded by the Government.

38380. At the same time, the present complaint of men getting into the headships of the districts at an advanced age would disappear?—True, at the risk of the whole Service being discontented. It is a great disadvantage.

[The Chairman informed the witness that he would be grateful to the Government if, in course of time, they would send to the Commission an estimate of the proposals that had been made in regard to improving the pay of officers in that Province. He did not know if it would be possible to make an accurate estimate of the proposals about pensions as that would involve actuarial work; but in regard to the proposals about the time-scale of pay, in both the Services, for improved allowances on leave and transfers and other items, an estimate might be sent.]

(The witness withdrew.)

GEORGE RAINY, ESQ., I.C.S., Magistrate and Collector, Champaran.

Written answers relating to the Indian Civil Service.

38381 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I believe a system of open competition is on the whole best suited to the needs of the Civil Service. It is far from perfect, but I do not believe that any alternative scheme would work better or so well. The present tendency to condemn competitive examinations is sometimes pressed too far. It is worth noting that for all secretariat work, and for the office side of a District Officer's work, the habit of rapid concentration on a particular subject and of concise statement of the main issues to be considered, combined with the power to dismiss a subject entirely and turn to another, are precisely the qualities needed. But the possession of such qualities is best tested in a competitive examination. For successful administration many other qualities are required. But the system assumes that if the candidates have passed through the usual English school and University training, they will on the average possess these qualities or will be capable of developing them.

38382 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—I am disposed to doubt whether the system of open competition is equally suited to "Natives of India." But I am opposed to the adoption of two different systems for admission to the Civil Service.

38383 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I do not think the combination of the examination for the Indian and Colonial Services makes any practical difference to the Indian Service. The scale of pay being higher in the Indian Service, it very rarely happens that a candidate selects the Colonial Service by preference. The combination of the examinations for the Home and Indian Services is not, I think, of any advantage to India at present. Whatever the reasons may be, the Home Service has recently become much the more popular of the two, whereas twelve years ago, so far as I remember, it was only appointments in certain departments, such as the Colonial Office, which

were preferred to Indian appointments. If the age of admission to the Indian Service were lowered by a year, it is possible that a few men might prefer to take the Indian Service at once rather than wait for a Home appointment. But as long as the age of admission is about the same, the two Services will compete for the same class of candidates, whether the examination is exactly the same or not. The Home Service has recently gone through a process of rapid expansion. When this process ceases, the Indian Service will probably regain some of its former popularity.

38384 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am not in favour of a simultaneous examination in England and in India. It might be some little time before many candidates were successful in passing in India owing to the lack of institutions which could give the necessary training. But beyond any doubt such institutions would be created, and before long the result must be a substantial increase in the number of successful Indian candidates. If this result is not anticipated by the advocates of the proposal, it is hard to see on what ground it is put forward. Now, unless the relations of India and England are to be placed on an entirely new footing, I do not think that an indefinite increase in the Indian element in the Service is a result to be desired or that it would be consistent with the principles on which the administration of India is carried on. Apart from any drastic change of policy, the Civil Service must remain preponderatingly British. This result could no doubt be secured if the total number of appointments to be offered to Natives of India each year were limited to a fixed proportion of the whole. But as soon as the limit was attained and candidates began to be excluded, a new grievance would be created, which would be quite as keenly felt as any that is thought to exist at present. I should like to add:—(*i*) At present the Indian candidates who enter the Service by open competition in England complete their education in that country. I attach great importance to that fact both as to the fitness of the candidates themselves and as to the promotion of harmonious relations with the English members of the Service. An Indian who has completed his education in England will appreciate, and to some extent share, the English point of view. An Indian who has done all his training in India will never be in the same position, and unless the age of admission were greatly lowered it would be impossible for him to spend a sufficient time in England after passing the entrance examination. One or two years would be of little or no use. (*ii*) I believe that there would always be a tendency to regard those Indians who passed in India as belonging to a different class in the Service. This would be regrettable but I think inevitable. (*iii*) The principle on which the open competition is based is that it is intended to attract young men who have passed through the ordinary school and university curriculum of their country. Now, it would be absurd to expect that the Universities of India should rearrange their course of studies and fix the standard of examinations so as to suit the convenience of the candidates for the Civil Service, and I understand it is admitted that the training at present given in the Indian Universities is not sufficient to give a reasonable prospect of success in the open competition. If, then, special institutions are created for the purpose of training candidates, they will inevitably tend to become cramming institutions, in which the training of character and physique will be neglected, and everything sacrificed to what will secure marks in the examination. In that case there will be no guarantee that the candidates who pass in India are a class of men really suited for government and administration. (*iv*) It is far from evident that Indian schools and Universities, as they at present exist, promote the training of the body and the character to anything like the same extent as the English schools and Universities. I believe that in this respect they have improved and are improving. But if I am right as to existing conditions, then the time for simultaneous examination is still far off. It will be time enough to consider it when the Indian schools and Universities can fairly claim that the training they provide for body, mind and character is fairly comparable to what exists in England. I do not mean to deny that some well-qualified men would be obtained by examination in India, but the *system* must provide not for exceptional men but for average men. The present system is not to be justified by the exceptional brilliance of some, nor to be condemned by the incompetence of others. It can face criticism if it produces on the whole the class of men required. In conclusion, I may say that there are other objections to simultaneous examination, but these have already been placed before the Commission and need not therefore be repeated.

38385 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend? (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that, whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—(9 and 10.) It will be convenient to take these two questions together. I am opposed to filling a fixed proportion of the vacancies in the Civil Service cadre either by a separate examination or by a system of nomination, or of nomination *plus* examination. The failure of the former Statutory Service is an important fact. Whatever the precise method of filling the vacancies, the objections are much the same. The officers so selected would form a separate class and would never be regarded as belonging to the Civil Service in the full sense. I do not see on what principles they could be granted the same

scale of pay as the Civil Service. But if they were placed on an inferior footing, on the one hand the end desired by the advocates of simultaneous examination would not be achieved, while on the other hand the English preponderance in the Civil Service would be weakened. Any scheme of the kind proposed seems to be of the nature of a compromise which would satisfy no one and would not tend to efficiency.

38386 (13). Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system that you propose?—Under the existing system officers who become judges perform, during the early years of their service, functions exactly similar to those of the Executive Branch. After a certain period they are definitely assigned to one branch or the other, and thereafter they are confined to their judicial duties. A few appointments in each province are filled by promotion from the subordinate judiciary. The defects of this system are:—(*i*) Ordinarily the officers appointed to be Judges are without sufficient preliminary training in law. (*ii*) The choice between the executive and judicial branches is made too late, so that there is no opportunity for employing officers in subordinate judicial capacities before appointment as District Judge. Both these defects might and should be removed, and certain suggestions for that purpose have been made in the answers to other questions. I take it that practically, if the present system were abandoned, the alternative would be to recruit the judicial branch from the members of the Bar, either from the English or the Indian Bar or from both. Recruits obtained from the English Bar would have to be very junior barristers, for otherwise the attractions of service in India would not be sufficiently great to induce good men to sacrifice such prospects as they might have at the Bar in England. But if so, their legal qualifications would not be greatly if at all superior to those which many recruits obtained in the ordinary way would possess, if certain changes were made in the examinations and in the course of training. In addition to that, barristers recruited from England, if they started at once to try cases in court, would be at hopeless disadvantage from their total ignorance of the customs, habits and language of the people. It would most certainly be necessary that they should undergo a preliminary course of training for three or four years before they were entrusted with more responsible duties. I am firmly convinced that this kind of training can be best obtained in the performance of executive and revenue duties which take an officer out amongst the people in their own villages, and that it cannot be obtained by sitting in a court and trying cases. But if my view is correct, then the new system would be very much like the old, and it is not obvious what advantage would be gained. The direct appointment of members of the Indian Bar as District Judges stands on a different footing, and they would not of course be subject to all the disadvantages of a barrister coming from England. But to this proposal also there are objections. In the first place the change would clearly be undesirable unless lawyers of real distinction and eminence in their profession could be induced to accept appointments. How far this would be the case I am not competent to say. But assuming that the right men could be obtained, another question arises. The most distinguished lawyers naturally gravitate to the High Courts and will have carried on most of their practice there. I confess to a doubt whether prolonged residence in a great city like Calcutta is not as great a bar to knowledge of sympathy with the ordinary villager as birth and education in another country. I lay emphasis on this point because my interest in the question is simply this, which class of officer is most likely to give the poor man justice? I doubt whether the present system of administering civil justice is well adapted to produce that result. I think it has been made too complicated, too slow, and too expensive. But if its direction is to lie in the hands of officers whose work has not brought them directly in touch with the villagers, of officers whose natural instinct is always to lay most stress on the legal aspect of each case that comes before them, it is to be feared that justice will be hindered and not helped. The system provides almost endless opportunities for setting right mistakes in law, but mistakes as to the facts are hard to remedy. If the District Judges were recruited from the Bar, the result to be feared is not so much that more guilty persons would escape punishment as that more innocent persons would be convicted. It is probable that the High Court would have to interfere less often on revision, but the real failures of justice occur not through mistakes in law, but through the acceptance of evidence legally unimpeachable which nevertheless may be a pure fabrication.

38387 (15). If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—I am decidedly of opinion that the age should be so fixed as to attract either candidates of the normal school-leaving age or candidates who have completed a University course. The objection to fixing any intermediate stage is that the temptation would be strong for candidates to go from school not to a University but to a crammer's establishment, and this result would be open to the gravest objections. As between the two alternatives, it is greatly preferable that the age should be fixed so as to allow time for the completion of a University course. The reason which for me is decisive is that, under existing conditions, the work of the Civil Servant requires a wider and fuller course of training than can be given by the ordinary school course *plus* a specialized training for work in India. As time goes on the need for such education as can be acquired only by a University Honours course will increase and not diminish. For reasons to be specified hereafter I would, however, reduce the existing age-limits by one year.

38388 (17). What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—The recent recruits to the Civil Service seem to me to be suitable. I know it has been said that they are not as good as they used to be, but I think the answer to that is they never have been.

38389 (18). What is the most suitable age at which junior civilians should arrive in India?—I am strongly of opinion that junior civilians should on no account be allowed to come out to India until they are 21 years of age. I am equally strongly of opinion that 24 years of age should ordinarily be the maximum limit and in exceptional cases 25.

38390 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period? (21). Please examine the table in Appendix I to these questions, which shows the various phases of the authorised syllabus of the open competitive examination, and state what changes, if any, are in your opinion, desirable, differentiating between the cases of candidates (*a*) of school-leaving age, and (*b*) of university-leaving age?—(20 and 21.) I think the existing subjects of examination for the open competition are generally suitable, and I accept the principle laid down by Lord Macaulay's Committee in 1854. But I would introduce three modifications:—(*i*) I would make Indian History a separate subject for the open competition, and would fix the scale of marks so as to make it an attractive subject. (*ii*) I would increase the marks for Law so as to attract a larger number of men who have read for Honours in Law. (*iii*) I would reduce the marks for Political Science and increase the marks for Political Economy.

38391 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—My own experience in 1898-99 was that the greater part of the year of probation was so much time wasted. It is true that many candidates after passing the open competition were really in need of the rest which the probationary period provides, but it had no other merits. The year was also useful for learning riding. But if the riding examination were held immediately after the entrance, many of the candidates, if not all, would learn beforehand. The law portion of the examination could be and was, successfully crammed in a period of about two months. Such knowledge of the vernacular as I had acquired, I found almost useless when I reached India. If I had spent that year either in acquiring a real literary knowledge of Bengalee, Hindi, or in studying law whilst attending the courts, it would have been useful. But it is no use at all to set a rather easy examination in law and languages to men who have proved that in passing examinations they are experts. Besides that, under the existing age-limits most candidates are heartily sick of passing examinations, and would like to begin work on something practical.

38392 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—If the existing age-limits are retained, I am almost inclined to suggest that candidates who can pass in riding should be allowed, at their option, to come out to India at once without undergoing any course of probation in England. But there is no reason why the probationer's course should not be improved. If, as I propose, the age-limits are reduced by one year, I am in favour of a compulsory course of one year with the option of extending it to two. If the existing age-limits are retained, the period of probation should not exceed one year.

38393 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved university?—I am very doubtful whether Oxford and Cambridge are the best places for spending the year of probation. So far as the study of languages is concerned they may be the best places, but as regards the study of Law very far from the best. It might be better to require the period of training to be spent at London or Dublin (or perhaps Edinburgh) so that attendance at the courts could be easily arranged.

38394 (51). Please examine the statement printed as Appendix VI, to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you? (52). In particular, please state your opinion as to the desirability, during the period of probation of (1) compulsory attendance at Law Courts in England and reporting of cases; (2) the teaching of Indian Law in addition to the general principles of jurisprudence; (3) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (4) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts?—(51 and 52.) It will be convenient to take these two questions together. Personally I am of opinion that (*i*) Colloquial knowledge of vernacular can be acquired only in India. (*ii*) Book or literary knowledge of the vernacular, *i.e.*, the foundation of real scholarship, can be best acquired in England. (*iii*) A knowledge of the principles of law can be acquired adequately by reading, *e.g.*, at a university. (*iv*) The application of the principles of law cannot be so learned, and the study of procedure law without practical experience of what it means is utter waste of time. I do not think much need be said about the first point. The experience of every officer must confirm it. As regards the second, the pressure on an officer's time is ordinarily now so great that it is very difficult to devote much or any energy to the study of Oriental languages without neglecting ordinary official duties. In any case if a firm grip of the literary language had been acquired at home, study in India would be immensely facilitated. The fourth point I may be pardoned for illustrating from my own experience. In 1899 I took the Civil Procedure Code for the Final examination as an

optional subject, and devoted the last two weeks before the examination to its study. I got more than half marks in the examination. Most of it I never understood, and a month later I had forgotten all about it. Could anything be more absurd? I regard attendance at the courts and taking notes of cases as absolutely essential if the law training is to be of practical use. If the application of the principles of law and the procedure of the Courts is not learned in this way, it must be learned by trying cases in court, and as an officer learns most from his own mistakes the latter method is a little hard on the litigants. I would make (*1*) attendance at the law courts and reporting of cases; (*2*) the study of the Indian Penal Code and the Indian Evidence Act; (*3*) the study of grammar and of text-books in the vernacular of the province without colloquial instruction; compulsory for all candidates. I may add that the standard of literary knowledge of the vernacular to be required should be decidedly higher than at present. In addition I would make Indian History compulsory for all candidates who had not obtained a certain proportion of marks in that subject in the open competition. I do not think it necessary or desirable that Indian Geography, Political Economy, or Accounts should be made compulsory subjects, but there might be Geographical questions in the Indian History papers. Law and the vernacular being the two absolutely compulsory subjects, I would arrange the course so as to admit of specialization in one or the other. I would therefore in each subject prescribe additional papers besides those which all candidates had to take. The Law papers might be in Hindu and Muhammadan Law or in English Law at the option of the candidate. The language papers might be either advanced papers in the vernacular of his province or in Persian, Sanskrit or Arabic also at his option. All candidates should be required to take the additional papers in one subject or the other. If a candidate had already taken a high degree in law or attained high marks in law in the open competition, it would be reasonable to insist on his devoting his year of probation principally to languages. On the other hand, if a candidate had no knowledge of law, it would be reasonable to allow him to devote himself specially to that subject and to be content in his case with a lower standard of knowledge in the vernacular. The defect of the present course of training is that the candidate acquires a real knowledge of nothing, but a smattering of several subjects. It would be far better if candidates came out knowing either law or the vernacular (on its literary side) reasonably well. If my proposals were adopted, no additional optional subjects would be necessary or should be allowed. But I would permit a candidate if he chose to take the additional papers in both subjects. I was at first inclined to suggest several alternative courses for the second or optional year of probation, but on thinking the matter over I would limit it to advanced study of either the vernacular of the province or of one of the classical languages. The other subjects I had in view can be better provided for by study-leave at a later period when an officer has been definitely assigned to one branch of the Service or the other.

38395 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—The probationer's course of training should certainly be spent in England.

38396 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian Services recruited in England?—I am opposed to the proposal to start a college in India for training of probationers.

38397 (55). What is your opinion of a proposal that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—I am equally opposed to the proposal that probationers should be trained in a provincial centre.

38398 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—I am far from satisfied with the present system of training for junior Civilians in India or with the departmental examinations. To begin with, I think the examination in Accounts is absolutely useless. The knowledge necessary for passing is crammed and forgotten. I think the first year in India should be devoted almost exclusively to acquiring a colloquial knowledge of the vernacular and a reasonable acquaintance with the laws of the province in which the civilian serves. In the latter subject the use of law books containing the text of the Acts and Regulations should be freely allowed, and the examination should be devoted solely to ascertaining whether the civilian can apply the law, not whether he remembers it. An examination in memory is no sort of guarantee that a candidate will remember anything about it three months afterwards, and this is specially the case when you are dealing with examination experts. In the vernacular, the colloquial test should be much stiffer than it is at present, and the text-books I would cut out altogether. The text-books at present set are decidedly difficult, they are written in a highly Sanskritized style and the time taken up by their study positively impedes the acquisition of colloquial Hindi and in no way facilitates it. Book knowledge of that kind should be acquired in England, and it is because it is not acquired in England now that an attempt has to be made to teach it in India. The second year ought to be spent in learning the works of the various departments of the Collector's office and in learning judicial work by trying cases. It is true of course that a certain amount of knowledge would be acquired in the first year in connection with the colloquial training. It would, however, be a great gain if each civilian spent a second year at headquarters before going to a sub-division. But the needs of the administration constantly interfere with this.

38399 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of

the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I cannot say from experience whether there has been deterioration in the knowledge of Indian languages possessed by members of the Civil Service, but if this has not happened it is a very extraordinary fact, for all the causes at work tend to produce that result. The most important in my views are the following:—(*i*) The fact that much of a civilian's work, especially on the Executive side and after attaining the rank of District Officer, does not require for its performance much or any knowledge of the vernacular. (*ii*) The fact that a knowledge of English is now widespread among the educated classes of Indians. (*iii*) Social changes which it is needless to particularize. (*iv*) The increasing pressure of office work and correspondence. The remedies are the acquisition of a higher standard of acquaintance with the literary language in England and the insistence on a stiffer colloquial test in the departmental examinations in India.

38400 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study-leave to Europe, and, if so, what course of study (course for a call to the Bar, reading in barrister's chambers or other), and what conditions do you propose?—In my answer to questions (51) and (52) I have already indicated what measures are desirable to improve the proficiency in law of the Service generally. As regards the Judicial branch I think the choice between the Executive branches might be made at a somewhat earlier period than at present, (say) after six years' service. This measure would admit of the employment of the civilians in subordinate judicial capacities before appointment as District Judges. It might be advisable to require officers who had not shown proficiency in law in the open competition, or who had not devoted special attention to law during their probation, to spend a year's study-leave in reading law in a barrister's chambers in London. And I would allow any judicial officer below a certain standing to take a year's study leave to improve his knowledge of law if he wished to do so.

38401 (71). Please add such remarks as you may desire to offer on any points relating to the system of probation and training for the Indian Civil Service which are not covered by your answers to the foregoing questions?—There is one very small point connected with the period of probation which I should like to mention. In the open competition marks are deducted for illegible handwriting. In lieu of that deduction, or in addition to it, all candidates whose handwriting does not, in the opinion of the examiners, attain a certain standard should be required to pass in typewriting. It would be no hardship and I am quite sure the candidates would never regret it.

38402 (88). To what extent are the functions of the Officers of the Executive and Judicial branches of the Indian Civil Service differentiated? Is any change desirable and, if so, in what directions?—While it may be desirable that the choice between the Judicial and Executive branches should be made somewhat earlier than at present, up to the point where the decision is made, I would have no differentiation of functions. Experience of Revenue work must necessarily be of great value to a judge, and settlement work might be mentioned as particularly useful and indeed almost indispensable. I do not in the least undervalue the need for adequate training in law, but my own experience in criminal work has been that the difficulty is usually not about the law but about the facts. Evidence may be given in Court which is unshaken in cross-examination and without a legal flaw, and yet the case be almost entirely a fabrication. In India the system provides many opportunities for setting right mistakes in law, but the injustice that may be done by an erroneous judgment as to the facts is far more difficult to remedy. The case as it is put forward in Court, even when it is substantially a true one, often differs materially from the actual facts. An officer whose experience was restricted from the first to hearing evidence in court would be at a great disadvantage, and would find it difficult to acquire the faculty of weighing the value of the evidence tendered. It is by the work done in the villages amongst the people themselves, where rough-and-ready methods can be applied, methods which nevertheless are understood and appreciated by the people, that invaluable experience can be gained for judicial work. The introduction into India, where the bulk of the people are poor and uneducated, of a system of administering justice mainly framed on English models, was a measure with far more important consequences than seems to have been realized. The defect of the English system is its expense and delay and the advantage which it gives to the longer purse. It is open to question whether a speedier, cheaper, and more summary system would not have been better adapted to the needs of the country. Be that as it may, for good or evil the choice has been made, and it is now too late to alter what has been done. But any further advance on the path of legalism is very greatly to be deprecated. Further elaboration of the rules of procedure and evidence is likely to defeat its own object by rendering it more difficult for the poor man to obtain justice. And the employment in the judicial branch of officers whose experience was confined to the courts would tend directly to an elevation of law at the expense of justice.

38403 (92). Are the present rates of pay and grading suitable? If not, what alterations do you recommend? (93). If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts or to both?—(92 and 93.) The rise in prices which has occurred in recent years has affected the Civil Service as well as other Services and the members of the Service as a body are of course worse off than they were twenty years ago. I think that a general improvement in the scale

of pay, particularly in the early years of service, is called for, but this improvement should, I think, take the form of a time-scale.

38404 (95). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—If exchange compensation is abolished it should be done by a revision of the scale of pay, so that the emoluments of the Service as a whole will not be decreased. If the scale of pay were improved, exchange compensation would automatically disappear.

38405 (96). If abolition is recommended with compensation in the form of increased salaries what is your opinion regarding the grant of a similar increase of salary to those members of the Service who now draw no exchange compensation allowance?—I think that members of the Service who do not draw the allowance at present should get the benefit of the revised scale of pay; I am opposed to all differences as to conditions within the Service.

38406 (98). How is the system of officiating grade promotions where there is no change of duties, actually worked? Is the system convenient in the interests both of the Government and of the officers of the Service? Have you any recommendations to make for its alteration?—The system of officiating grade promotions, where there is no change of duties, works fairly well in practice, but is very difficult to justify in theory.

38407 (99). What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service or not?—I am decidedly in favour of the introduction of a time-scale of pay. Under the present system the rate of pay that each man is drawing depends entirely on the number of men above him who happen to be in the Service. If a system of that kind is to work satisfactorily, it is necessary that retirements and recruitment should always proceed at an even rate. But if once the system has got out of order, if, for instance, an unusually large number of officers retire, at the same time, then for two or three years there will be over recruitment, and it is almost impossible ever to get the system to work properly again. Instead of an even flow of promotion, officers will find themselves advancing in a series of jerks with long periods of waiting between. One generation of officers gets extremely rapid promotion and the next is kept back indefinitely. It may easily happen that the officers who come out in one period draw pay ranging from Rs. 1,300 to Rs. 2,250 from their tenth to their twentieth year of service, and those who come out ten years later pay ranging from Rs. 900 to Rs. 1,800. I do not believe there is any remedy for this but a time-scale, and unless it is adopted, special measures will have to be taken every twenty-five years or so to relieve a block in promotion. The time-scale should extend to all branches of the Service up to the point where promotion is by selection and not by seniority, that is, it should include all officers below the rank of Commissioner on the Executive side and first grade Judge on the Judicial side.

38408 (100). As an alternative do you recommend a system by which each main class of appointment would have a separate time-scale?—I do not think it is necessary to have two separate scales for—(*a*) Joint and Assistant Magistrates, (*b*) District Magistrates and Judges. But it would be necessary to have different scales for the Executive and Judicial branches.

38409 (102). If you recommend any system of time-scale of pay, please describe it, and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances, and other matters of importance? How do you propose to apply such time-scale in Provinces where the scale of pay of the judicial and executive branches of the Service is different?—It would be impossible to work out a detailed scheme for a time-scale without access to Secretariat papers. But the general principles can be stated.—(*i*) The starting point of the scale of pay should not be lower than the present initial pay *plus* exchange compensation allowance, and if an improvement in the scale of pay is decided on, it should be higher. (*ii*) The increments should be so fixed that the scale of pay would increase nearly evenly from the beginning to the end. At the point when officers were assigned to the executive and judicial branches the two scales would diverge. (*iii*) The first increment should not be drawn until the Lower Standard Departmental Examination had been passed, and the second, not until the Higher Standard had been passed. (*iv*) After eight years' service the fitness of each officer for promotion to the rank of Collector or District Judge should be considered, and if an officer is not considered fit for promotion, his increments should be stopped. (*v*) Officers considered fit for promotion would draw their increments from year to year whether actually employed as Collector or District Judge or not. (*vi*) Officers of under eight years' service, if appointed to act as Collectors or District Judges or in posts of equal responsibility, should draw a charge allowance subject to the limit that the total salary should not exceed the salary ordinarily to be drawn in the ninth year of service. (*vii*) Except in the case of first two increments and in the case of the increments after the eighth year of service, all increments should be drawn as a matter of routine, unless orders had been passed by the Local Government withholding them for definite reasons. (*viii*) If after twelve years' service an officer is still considered unfit for further promotion there should be power to remove him and to grant a proportionate or reduced pension.

38410 (108). Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not what change do you suggest?—I believe that the officers of the Indian Civil Service take on the average much less furlough than is actually due to them. I am not however in favour of any restriction of the amount of furlough that may be earned. It is very desirable that the

rules should allow a considerable margin over the average to provide for exceptional cases.

38411 (111). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative rates fixed in sterling and in rupees, and, if so, what change?—I think the present minimum limit of leave allowances is suitable, but the maximum limit is now too low owing to the increased cost of living and should be raised to at least £1,200 a year.

38412 (112). Have you any recommendation to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—I am in favour of a great simplification of the rules regarding special and extraordinary leave and furlough generally. Proposals for this purpose recently framed by the Government of India, will, if approved, render the rules much better.

38413 (114). In particular, are they a contributory cause of excessive transfers of officers of the Indian Civil Service, and, if so, how can this difficulty be met?—I do not think the leave rules have much to do with the frequency of transfers. It is not the ordinary furloughs but the unforeseen cases of illness, obliging an officer to take leave whether he wants to or not, that upset the Secretariat arrangements and cause excessive transfers. This is inevitable under any system of rules.

38414 (118). Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—I am in favour of equal annuities to all members of the Service. But I think the amount of annuity requires reconsideration. I believe that the Service as a whole, taking into account the officers who die while in service or who retire before earning a pension, contribute an amount equal to half the value of the pension. If that is so, then I think the amount of the annuity should be increased. If the officers' contributions are sufficient to justify a pension of £500 a year the annuity should be raised to £1,250.

38415 (119). Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—I am not in favour of a non-contributory system of pensions, because if the contributions were abolished I believe they would be spent and not saved.

38416 (124). Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—I think that if an officer after 12 years' service is considered unfit for promotion to the rank of Collector or District Judge, there should be power to compel his retirement on a compassionate pension of (say) three-fourths of the amount admissible, had he been invalided. The rules already provide for cases of gross misconduct or for invalidity. It is most desirable that Government should be able to deal with cases in which there is no positive misconduct and a medical certificate would not be given, and yet nevertheless the officer is clearly unfit to discharge the duties which an officer of his standing is expected to discharge.

Written answers relating to the Provincial Civil Service.

38417 (18). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?—I should greatly like to see some exchange of duties between the members of the two branches of the Provincial Service. If Munsifs were employed for a year or two as Deputy Collectors and Deputy Collectors as Munsifs, the latter would know a great deal more about law than they do at present, and the former a great deal more about the people.

38418 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—I think the existing system of listed appointments open to members of the Provincial Service should be retained. I believe that the existence of these appointments is an important attraction to the Provincial Service. But the appointment should be made at an earlier age than at present. I see no reason why after (say) ten years' service the qualifications of each officer should not be examined, and the most efficient placed on a select list, after which they would be tested in subordinate positions of special difficulty or responsibility. Promotion to the listed appointments should be made from the select list entirely by the selection of the best man available without regard to relative seniority. There would always be opportunities for testing officers in acting appointments before they were confirmed.

38419 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service, or not?—I am not in favour of the adoption of a time-scale for the Provincial Service. The objection to time-scales is that an officer thinks he is sure of his increment whether he works well or not, and is consequently apt to be lethargic and careless. This objection is not of great weight in the case of the Indian Civil Service, provided a real efficiency bar is placed at the point at which promotion to the rank of Collector or District Judge takes place. I have never heard of a case of grade promotion being withheld except for reasons which would certainly have led to the stoppage of the increment under a time-scale. But the case of the

Provincial Service is different, and the objection referred to seems to be a real one. I therefore prefer the present system of grades.

38420 (46). Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—The only point I wish to refer to in connection with the organization of the Provincial Service is its relations with the Subordinate Civil Service. At present Sub-Deputy Collectors are employed on much the same duties as Deputy Collectors though they do not, of course, fill the more responsible posts. Besides that, it is really a lottery, under the present system of appointment, whether an officer is appointed to a service rising from a minimum of Rs. 250 to a maximum of Rs. 800 or to a service rising from a minimum of Rs. 100 to a maximum of Rs. 250. If Sub-Deputy Collectors are to be employed on the duties which they at present discharge, then the Subordinate Service should be absorbed in the Provincial Service. In that case the minimum pay might be fixed at Rs. 200 and possibly the title of Sub-Deputy Collector might be reserved for the two lowest grades. Promotion to the 3rd lowest grade and the title of Deputy Collector should not be given until an officer was certified to be fit to exercise first-class powers, and to hold charge of the various Departments of the Collector's office.

MR. G. RAINY called and examined.

38421. (*Chairman.*) You are Magistrate and Collector of Champaran?—Yes.

38422. Will you tell us how many years' service you have?—I have completed thirteen years' service last November.

38423. Has your experience during your service been confined to Bengal?—No. I served for four years as Assistant Magistrate and Sub-Divisional Officer in Bengal. I was then for about two years Under-Secretary in the Finance Department in Bengal; then for about 3½ years I was Under-Secretary to the Government of India in the Commerce and Industry Department. Then I was on leave for 18 months, and after I returned, I have served for about two years now as Magistrate and Collector.

38424. You are opposed to the adoption of two different systems for admissions into the Indian Civil Service?—Yes.

38425. And you think that there would always be a tendency to regard those Indians who passed in India as belonging to a different class from those who pass the examination in England?—Yes, I think so.

38426. Do you suggest by this that you are not in favour of having any steps taken in connection with the extended employment of Indians?—I think that is very much a question of fact—whether under the existing conditions we are making full use for the service of the suitable material existing in this country. I doubt very much if I am competent to give an opinion as to whether good material is being neglected; but if it is the case, then clearly I should be in favour of some measure by which increased opportunities for entering the Indian Civil Service would be given to the Natives of India.

38427. Assuming that was the case, you would be prepared to favour an increase?—Yes.

38428. I see that you do not think that an indefinite increase of the Indian element in the Service is to be desired?—Certainly. I lay stress on the word "indefinite."

38429. If an increase was found to be advisable, may I assume that you would like to see that increase defined?—Not defined for all time. I do not believe that one could do more than decide the question for the moment. I think it has been suggested already—it was mentioned to-day also—that scholarships might be offered to candidates to enable them to go Home and to undergo the necessary training in England in order to appear at the open competitive examination in England. Well, no doubt, if any such scheme were introduced, we should have to be definite as to the number of scholarships that were to be given, and that would imply a decision as to the number of suitable candidates likely to be forthcoming. Of course, it could not be presumed that all of them would receive appointments; still you would have to come to some decision upon it.

38430. Why do you think that men recruited in India, must necessarily belong to a separate class?—I do not say that they would; but they would be treated that way.

38431. If they were admitted to the Indian Civil Service through an examination approximating to the standard of the examination in England, and if after passing the competitive examination, they were obliged to spend their probationary period at an English University, would you still say that, after they entered the Service, there would be any distinction or difference or any sign of inferiority as between them and those who enter by the English door?—The personal feeling would still exist that they were not quite the real thing. I do not defend it; but I simply regard it as an inevitable consequence.

38432. Do you base that statement on any previous experience? Was there any discrimination of that kind in regard to military officers who, in certain provinces, were absorbed into the Indian Civil Service?—I could not say. I have not come into contact with any province where military men are employed.

38433. It was a theoretical anticipation, and I take it that it is based upon the idea that you could only get equality of conditions by entrance through the same door?—I think the experience in connection with the former Statutory Service is, I do not think that that was ever regarded as being entirely on the

same footing as the members of the Indian Civil Service.

38434. Would you say that the old Statutory Service could be regarded in any way in the same light as the scheme which forms the substance of my question to you just now?—I understand that the assumption underlying this question is that these candidates are to pass the separate examination in India, an examination closely resembling in many points the ordinary examination for the open competition. In that case, I do not see the object of prescribing a separate examination. If it is to be almost the same standard and if the subjects are to be the same, there is no object in having a separate examination.

38435. You do not think that it would be more convenient to Indians to pass the examination in India than to go to England to pass it?—It may be very much more convenient for them to do so; but I should not regard it as one of the factors that ought to influence our decision—mere convenience as regards a particular place, so far as one class of candidates are concerned.

38436. You consider that the choice between the Executive and the Judicial branches of the Service is made too late. Could you tell us what, in your opinion, would be the best time to make that choice?—I think approximately after about 6 years.

38437. You think that a 6 years' course would give the experience, which you regard as valuable to an officer taking up the Judicial line?—Yes.

38438. Have you a Public Prosecutor attached to your district?—Yes.

38439. Could you tell us what his duties and functions are?—Particularly to appear for the Crown in all Sessions cases and to appear in important cases triable by Magistrates if there are any special facts—if, for instance, the accused should engage a particularly strong Counsel on his behalf and the Court Inspector would not be adequate to prosecute the case—then the Public Prosecutor would be engaged to appear for the Crown. Those are the main parts of his duty. He is also retained in appeals when an appeal is made from the decision of the Magistrate to the Sessions Judge. There again the Public Prosecutor appears for the Crown. His other duties are in connection with his capacity as Government Pleader; and that is in regard to civil suits.

38440. Does he do much civil work?—No. In my district I do not think that there has been a single civil case in which the Government has been a party for many years.

38441. What are his emoluments?—I think his retaining fee is Rs. 50; and his fee for appearance in Court was recently raised. I think it is now Rs. 25 when he appears within the district and he gets higher rates when he goes to other districts.

38442. It has been suggested by more than one witness that the direct selection of Public Prosecutors to District and Sessions Judgeships might be a profitable means of the recruitment from the Bar?—I have seen the work of Public Prosecutors in so few districts that I do not know if I am really competent to give an opinion. In my own district the only Civil Court is that of Munsif, and in consequence the Bar is not a strong Bar. It is decidedly a weak Bar and consequently you cannot expect to get a strong lawyer as Public Prosecutor.

38443. Can you tell us whether you find yourself overworked in your district?—I do not think I can honestly say I am in this district of Champaran.

38444. Can you generally tell us, from what you have seen during the short time that this Province has been in existence, whether the officers of the Indian Civil Service or of the Provincial Service are overburdened with work?—I think in many districts, from what I remember of those districts in previous years, it was undoubtedly the case. In the district where I was, before I came to my present district, namely, in Midnapur, I have no hesitation in saying that every single officer from the Collector downwards was overworked.

38445. In your own particular district you cannot say that you are overworked?—It happens to be a lighter district.

38446. You have an Additional District Magistrate?—No, not in Champaran.

38447. I gather you would not find any necessity for one at present?—Certainly not in Champaran. In Midnapur, where I was before, there was an Additional District Magistrate.

38448. You state some of the disadvantages which are entailed by the present system of one year's probation; and at the same time you say in answer to question (18) that 24 years of age should ordinarily be the maximum for coming out to India, and you also lay stress on the candidates having completed their University course before they appear for the examination?—Yes.

38449. You think that it is now possible to give adequate instruction in England during the probationary period and yet at the same time to maintain a higher age-limit?—I was prepared to come down one year as regards the higher age-limit. At present the age-limit is 22—24; and I wanted to come down to 22—23. The reason for that is that men are, I think, tending to come out too old as it is, even under the existing condition of one year's probation.

38450. That would bring them out at 24?—Yes.

38451. In the course of your answer to question (51) you lay great stress on a higher form of training in vernacular and in law?—Yes.

38452. How are you going to do all that satisfactorily in the course of a year's probation?—I contemplate for that reason that they would have to specialise in one or the other

during their period of probation. It would not be possible to train them both in law and in vernacular in one year.

38453. It really comes to this: a year would not be sufficient?—I propose to supplement it in this way. One object of raising the marks for law in the open competitive examination is that you would enlist a large number of men who have taken their honours course in law, and the year of probation would enable a considerable proportion of them, not all of them, to undergo a more thorough training in the vernacular. I doubt if it is necessary that all members of the Indian Civil Service should be equally well trained both in law and in languages. It is necessary that they should be trained up to a certain point. You want specialists in some cases, but you do not want equal proficiency in all members of the Service.

38454. Do you not want a uniform standard of high proficiency in the vernacular for all recruits coming out to India?—I think not. It would be quite a reasonable thing to say that you want a certain minimum standard and that you also want a certain number of men whose knowledge of the language amounts to real scholarship and who really know the language thoroughly on its literary side. But I do not think it necessary that all the members of the Service should possess that knowledge.

38455. You would suggest that the amount of training in languages should be appreciably increased as compared with what it is at present?—Certainly. I should require of all candidates a higher standard than what is required at present, and I am quite sure that a very much higher standard can be attained in one year, than is done at present. I ought not to say "at present," because I am thinking of my own experience thirteen years ago.

38456. Your own demands for training are a strong argument against one year's probation, are they not?—I feel that it is very difficult to do justice to all the considerations affecting the problem. I think that something has got to give way. You have got to balance the various points—the proper age at which they should come out, the proper period of training, and so on. I doubt if an absolutely ideal solution is possible. I have given my own opinion as to what I think to be the best plan; but I am quite conscious that flaws can be found in it obviously.

38457. Would you lay great stress upon the importance of bringing a civilian out to India earlier than at present?—I think when he comes out at 25 it is a bit too late. In the ordinary cases 24 is old enough to come out to India.

38458. Would you like to see him come out younger than 24, assuming that other conditions could be adapted?—In some cases I should. But then you come up against other considerations on the other side again.

38459. I am merely asking you, quite apart from other problems, what you consider to be the ideal age for a young civilian to begin his service in India?—I should say between 22 and 23.

38460. In answer to question (60) you say that you are not satisfied with the scheme of training that is provided for a civilian during the first year of his arrival in India?—Yes.

38461. You go on to say that, if it were possible, to enable him to acquire a grasp of the administrative work, the period should be increased to two years?—Yes. I think it is important that they should be under training for a period of two years before they are posted to Sub-divisions.

38462. You would like to see him working at head-quarters during the second year?—Yes.

38463. What kind of work would you like to see him doing during that period of training?—He should hold charge in succession of the Revenue Department and of the Collector's office. I know from my own experience how much one loses by not going through that training.

38464. He has none of that training now?—He holds subordinate charge of one or two departments. I think it is becoming more and more difficult with the Departmental examinations, as they are conducted at present. I think that a young officer should master the Revenue procedure before going to a Sub-division. In my own case, I went as Under-Secretary, and when I first joined the Collector of a heavy district I had to learn the A. B. C. of the procedure; but all that should have been learnt years before.

38465. You had really to go through that training after you had entered upon your office and I suppose to a certain extent to the detriment of the Service?—I should think undoubtedly; and it increases the burden of work. For the first six months I had to verify every detail in the department which I ought to have known, as a matter of course.

38466. So that it comes to this: in your opinion the year spent in this country under training in specific work is not sufficient?—I think it is not sufficient.

38467. Would you like to see it increased to two years?—I think so, the second year being devoted largely to a study of the actual work to be done, first taking up one Department and then another. It would be—I felt when I came out—a good thing to begin to get at something practical insteal of thinking of examinations.

38468. What I really should like to get from you is what would be the difference between what you suggest as the training to be undergone at head-quarters and the work a young Civilian has to go through actually in his second year, that is, the first year that he comes into active service?—At present usually he is sent to a Sub-division in the second year, and in a Sub-division in this province his work is mainly criminal in trying cases. Then it varies after that sometimes. After an officer

has been for some time in the Sub-division, he is posted as a Joint Magistrate to a head-quarter station. It happened in my case that the first time when I acted as Collector, I had never acted as Joint Magistrate of the head-quarter station, and I joined the Collectorate without having an adequate knowledge of the details of the work.

38469. Supposing that he carried out the work which is suggested at head-quarters, which is rather more than clerical work in the office, would he not be postponing his preliminary magisterial work to the third year instead of to the second?—Yes; but he would be doing a certain amount of criminal work at head-quarters. His time would be divided between revenue work and criminal work. Certain departments of work such as land acquisition and partition would take him into villages amongst people; and if there were Government estates in the district, that would be a particularly suitable Department in which he would learn a great deal.

38470. By improved allocation of work, without detriment to the administration of the country, he might be a great deal better trained than he is at present?—I think so.

38471. You are in favour of a time-scale which you would extend up to the rank of a Commissioner?—To all ranks below the Commissioner and the first grade Judge.

38472. What objection do you see to the proposal that is made to us for two time-scales, one for Assistant Collectors and the other for District Officers and Judges holding superior posts, with selection operating between?—It comes to very much the same as what I proposed. You must have a clear line of distinction between the Collector and Judge on the one hand and the Assistants and Joint Magistrates on the other. That is what I have called the efficiency bar. The idea is borrowed from the British Post Office and we have introduced it into the Indian Telegraph Department. What is meant is, that when a man has completed a certain number of years' service his claims to further promotion are definitely to be decided. If he is considered to be unfit for further promotion to the rank of the Collector or Judge, then the increment pay is to be definitely stopped; and until he is considered suitable for promotion, he would not get his increment.

38473. That practically coincides with my question?—It is practically the same thing. I do not think that there is any real distinction.

38474. You are, I see, against any restriction on the amount of furlough extending to two years?—I am against any restriction under the rules.

38475. Do you know many instances of officers taking furlough for so long a period as that?—I have known cases of officers who had bad health and when they had completed 25 years' total service they had not completed 21 years' actual service and therefore they had to serve another year or two. There have been cases of that kind. It would be of great advantage to have the rules on that point liberally worded, without having to make special applications to the Government of India or the Secretary of State. You should provide for really difficult and necessary cases.

38476. Do you not think that in the interests of good administration, leave for a period of two years should be very exceptional?—I think the Local Government should have the absolute power to say whether they are prepared to spare an officer for more than a certain period. The Local Government should have power to refuse to grant him leave on the ground that they could not afford to spare more than a certain number of officers to be on leave, or they might say that they could let him go only for such and such time, he must go either without leave or take short leave.

38477. In answer to question (119) you say that you are opposed to the abolition of the 4 per cent. deduction. You say: "I believe they (the contributions) would be spent and not saved." You have seen probably the suggestions that have been made that this 4 per cent. contribution should be withdrawn and should be allocated to a Provident Fund. What would be your opinion on that point?—Without any reduction in the pension?

38478. That proposal has also been made. I would ask you whether you would favour the proposal that the 4 per cent. deduction should be allocated to another fund, which could be used as capital or which would enable an officer or his family to purchase an annuity, and that a certain reduction should be made in the pension?—If that were done and at the same time the existing full annuity of £1,000 were given, I should certainly be in favour of it. But if the annuity were to be reduced at the same time, I am in doubt as to what I should say. I think it would be a great advantage if a definite account could be given of a Civilian's contributions towards his pension. We really do not know what it amounts to. We believe in certain things, but we really do not know how much the Service as a whole pays towards these pensions. I think it is desirable that we should know it.

38479. Generally speaking, you lay stress upon the importance of the prospect of a pension of £1,000?—I think so undoubtedly. I think it is a great attraction to the Service. It would affect recruitment, if it were reduced.

38480. If it can be shown actuarially that a reduction in certain circumstances would be favourable, would you consider it?—I am quite prepared to consider it, but I do not think that I could give an opinion on it now.

38481. As regards listed posts, you are for promoting junior officers of the Provincial Civil Service to listed posts. What inducement will you then give to older men in the Service?—I am afraid that the choice lies between two alternatives: either promoting men after they have ceased to be fit for promotion or promoting junior men, in which case you will undoubtedly produce a feeling of discontent in all the people who have been passed over. There are defects in both cases.

38482. Would you say that the promotion of young men over the heads of several men in the Service would in the end create more dissatisfaction and more discontent than the promotion of men late in life?—I should imagine it would; but, on the other hand, I think on the whole I am rather in favour of promoting the younger men.

38483. From the point of view of administration?—I think so.

38484. But I ask you from the point of view of contentment among the rank and file?—I am sure there would be more discontentment if junior men were promoted.

38485. That would create a serious problem?—That would be a serious problem.

38486. You disapprove of a time-scale in the Provincial Service. Why should not a time-scale be given to the Provincial Civil Service, if it is given to the Indian Civil Service?—I have always been under the impression that it was a thing of common occurrence that promotion from one grade to another was withheld in the case of Deputy Collectors. I think you put some questions to Mr. LeMesurier about that to-day and I rather gathered from his answers that this holding back promotions was a great deal less frequent than I had supposed. If that is the case, my objection to the time-scale would largely disappear.

38487. I believe I was told that there was only one case?—It was something very small; I did not catch the number.

38488. If the ground of your objection should disappear, would you favour a time-scale for the Provincial Service on somewhat similar lines to that which you are discussing for the Indian Civil Service?—Yes.

38489. I notice that in your answer to question (18) you make a proposal that there should be an interchange between Deputy Collectors and Munsifs. Would not that lead to a certain amount of confusion, and does it not traverse the tendency to segregate cadres, which is going on in the country?—It is a just proposal. The tendency is to go too far.

38490. It is in view of that that you make the suggestion?—It would be a good thing if a Deputy Collector knew a great deal more about law than he does at present. If he served in the Judicial branch for a couple of years, he would gain decidedly in his knowledge of law. The same is the case with the Judicial Officer, who would gain a good deal by knowing the executive side, if he is a Deputy Collector for some time.

38491. Your suggestion is to take effect during training and that would be at the cost of efficiency of the administration of the country?—I do not think so. I think you will have to do it at a pretty early stage in the service. When their minds are made up one way or the other, it would become much more difficult to persuade them to take to this change.

38492. There is one more question that I should like to ask you and that is in regard to the proposal for bringing Sub-Deputy Collectors into the Provincial Service. What is your opinion on that?—I am in favour of it. I am for having only one Service.

38493. You would give them the same pay and the same status?—That would have to be considered. I am not absolutely prepared to say that the minimum might not be lower than the existing minimum for the Deputy Collector's grade. What we are really doing just now in the case of Sub-Deputy Collectors is that we are practically treating them as a cheap kind of Deputy Collector. I do not think that is satisfactory.

38494. You realise that the Sub-Deputy Collector, as far as one can gather, corresponds with the Tahsildar in other provinces, who is not a member of the Provincial Service in those provinces?—It was intended, when it was designed originally, that he should correspond to that. As a matter of fact, we are really using him for Deputy Collector's work. There is the work and it has to be done, and these are the men suitable for doing that work. There is no real distinction between the duties of Sub-Deputy Collectors and Deputy Collectors, and they ought to be on one scale and bear the same name.

38495. I understand from the evidence which we have heard that these Sub-Deputy Collectors have till now had rapid promotion?—I understand that there is a great deal of promotion from Sub-Deputy Collectors to Deputy Collectors. Mr. LeMesurier was saying that, at the time of selection, both may be classed under one head and one of them starts on Rs. 250 and the other on Rs. 100 and the latter is promoted to Rs. 250 in about 6 or 7 years. The difference between the two as regards qualifications is not sufficient to justify such a wide gap.

38496. Perhaps both of them have taken the same degree, but one has not got so high a place in the list as the other?—You might get cases like that even at the competitive examination. One man might be behind the other by only one mark and that would make a great deal of difference but the candidate can always put it down to bad luck. But when the thing is done by selection and when two are of the same educational qualifications, the one who is selected as Sub-Deputy Collector feels a definite grievance, against the Government which did not select him along with the other, as Deputy Collector.

(Adjourned for a short time.)

38497. (*Sir Theodore Morison.*) I should like you to give me a little more information as to this optional second year that you propose in answer to question (43)?—I find difficulty in considering the details. I believe under the old system, when they came out at an earlier age, the third year was optional.

38498. If they took a degree?—At that time there was a compulsory two years probation and an optional third year.

38499. That was for taking a degree, was it not?—I think so. Very often for instance they took a degree in Oriental languages. I

am under the impression that Mr. Beatson Bell took a third year and a degree in Sanskrit.

38500. What inducements would there be for a man to take a second year? I should think it would be a disadvantage in many ways, as he would start later in the Service and would not have any larger pay?—I think the arrangement under the old system was that after a man had passed the departmental examination he resumed his old place in the list. That is so arranged in the Civil List now; you can find in the list cases of people who came out a year later than others but have resumed their old places in order of seniority. I think that could be arranged for.

38501. Then you say, what I have no doubt is true, as I have heard it from the Civil Service Commissioners at home, that the men are heartily sick of examinations by that time?—Yes.

38502. That I suppose has to be taken into account, because they would be probably unwilling to take a second year for that reason?—I think you would have to adjust that by the remuneration you offer for the second year. You would have to have a certain rate of remuneration, and you might find it was not enough and have to increase it, or you might find it was too liberal and have to reduce it.

38503. This weariness of examinations seems to me to make a real difficulty in a probationary period in the University?—I admit that it does.

38504. You explained to the Chairman a good many other reasons for the difficulties which exist at this later age, and you said that on the balance, however, you would still go for a University education?—That is my view.

38505. You have hitherto built up the case against the University and I should like now to have a little more information on the subject. You say that owing to the growing questions of administration, etc., the Universities Honours Course will become more and more a necessity in future?—I took the Greats Course at Oxford.

38506. And that is the course that is most in danger by the increase of one year?—That is so. As a matter of fact it would not have mattered in my case, because I read for the Greats and then read the history school after Greats before I went up for the Civil Service. I went up to Oxford at eighteen and had done five years there before I went up for the examination, so that I have really had more examinations than the ordinary man. In my last year I spent 28½ days of the year in doing examinations, and at the end of that I was written dry.

38507. In spite of that you think that the additional year at the University is good?—I think that the University Course is of great importance for the kind of work that has to be done in India nowadays. Certainly what I learned when I was reading in the Greats school at Oxford I have found of immense value since. I think that as a matter of mental training to enable you to turn your hand to whatever kind of work you may be put on to it is an extraordinarily valuable training. Also the general life of the College and the University, as expressed in the College Societies, the Debating Society for instance, I have found of very great use in all sorts of unexpected ways.

38508. I quite recognise that, but in the first place is that essential to the University? Would it not happen that if you get from two to three hundred young men together anywhere you will have that development, intellect rubbing against intellect, one mind against another?—Undoubtedly you would have it to a certain extent, but as things go on and as Indian problems become less and less peculiarly Indian problems and more and more associated with problems emerging all over the world, I think the University training becomes of more and more importance.

38509. I do not know whether it was equally true in your time in the University, but we have had a good deal of evidence to the effect that the Universities nowadays are not places where it is very advantageous for young Englishmen who are coming out to India to go, because there is rather a strong racial prejudice against Indians at the Universities, which tends to prejudice them?—I do not think in my time there was much prejudice, and as to what has happened since I know nothing at first hand at all. I have heard of things, but I have no means of knowing personally.

38510. If there is nothing positive against the University, is there anything positive in what it does in creating in a man any enthusiasm for India, directing his mind specially to Indian problems and giving him an enthusiasm for the work?—No; I cannot say that the ordinary University Honours Course does create any special enthusiasm for Indian things.

38511. I do not mean the Honours Course only; I mean the life of the University. One of the uses to which a period of probation might be put would be to create in the young Englishman, especially the young civilian, an enthusiasm for his future work, a sense of his high calling, and to direct his mind especially to Indian things?—That is one of the advantages claimed for the special institution, which of course would be a probationary course as against the University. If your probationary course can provide that I should have nothing to say, but your probationary course is to be spent in London, I understand.

38512. I admit that by a special institution in which for two or three years your attention was confined to Indian subjects a man might have created in him a greater enthusiasm and interest for Indian things. That I think clearly must be so. But that again would have to be balanced against the other. I quite agree it is a question of balancing: it is a case of probation balanced against education at a University. You would secure them young and hope they would not be so sick of examinations?—I hope they would not.

38513. With regard to a knowledge of the vernacular, do you find as a matter of fact that civilians read at all current vernacular literature?—I do not think so. Some do, but it is very far from being general; in fact it is very infrequent.

38514. It would be a laborious process?—That is the case I think with a great number of us.

38515. You have spoken strongly against the use of text-books or indeed books at all. What you want them to do is to have a colloquial knowledge?—I understand that they wish to prescribe text-books which were written in the spoken dialect, and if such text-books can be found I have not the least objection to them, but I have the strongest objection to the existing text-books.

38516. The fault is rather in the selection of the text-books than in the system?—I think so.

38517. Did you ever look at the school readers?—I have seen them occasionally when I have been inspecting schools in the villages. When one visits a village one pays a visit to the school and sees what they are, and I have seen the books there.

38518. Are they highly specialised?—I do not think they are.

38519. They are written in the ordinary sort of words that a civilian uses?—A great many of them would be.

38520. (*Mr. Abdur Rahim.*) With regard to Public Prosecutors, you said that they received a certain retainer of Rs. 50 a month. Is that for the purpose of preventing them from accepting fees against the Government?—I imagine so.

38521. Then they get a certain daily fee for conducting Government cases, whether Civil or Criminal?—Yes.

38522. That of course is also in addition to their private practice?—Yes.

38523. And as a rule the Public Prosecutor is a Government Pleader also?—Yes, that is the usual arrangement.

38524. And those who are appointed Government Pleaders or Public Prosecutors are generally men who have a leading practice in the district, are they not?—I should imagine that was so, but I have not been in enough districts to be able to say from my own knowledge. I am quite willing to take it from you.

38525. That has been my experience, that the best man almost always is appointed by the Government as Government Pleader and Public Prosecutor, a man of considerable experience who has attained a very large practice in the district. With regard to their duties, they not only conduct the prosecution in Criminal cases, but they also conduct Civil cases for the Secretary of State?—Yes.

38526. They also advise the Magistrate in what cases there should be an appeal or not?—They undoubtedly advise the Magistrates about questions of that sort.

38527. Criminal as well as Civil cases?—Yes, whether the evidence is sufficient to justify a prosecution or whether a suit ought to be defended, and so on.

38528. And also whether in certain cases there ought to be an appeal from the decision or not, Civil as well as Criminal?—That is so.

38529. If there is a wrong acquittal, for instance, the Magistrate before he appeals takes the opinion of the Public Prosecutor.—Very often.

38530. That is the ordinary procedure?—I have gone up to the Legal Remembrancer without consulting the Government Pleader on certain occasions, but ordinarily he would be consulted.

38531. I do not know whether you are familiar with the Legal Remembrancer's work?—No, I cannot speak from first-hand knowledge.

38532. The Government Pleader would have considerable experience, as he is a first-class lawyer in the District?—Very often he would be.

38533. Supposing such persons could be induced to accept District Judgeships, what would be the objection? If a certain number of District Judgeships were recruited from the Bar and men of that stamp were available would you object?—I do not see any objection in principle to the recruitment of a proportion of the District and Sessions Judges from that class of men. You would have to consider, however, whether it would not be a better arrangement to increase the number of listed appointments, whether you would not by increasing the number of listed appointments render the Subordinate Judicial Service more attractive and thereby raise the whole standard of that Service simultaneously.

38534. As regards listed appointments, at present the difficulty is that men who are appointed as Munsifs are generally men who have not had much experience at the Bar. They have not had an opportunity to make their mark in the profession. Some turn out well and some do not turn out so well. Therefore when it comes to a question of making appointments from the ranks of the Subordinate Judges who are promoted Munsifs, they are generally very old, and we have had evidence in Bengal that they are practically men on extension or men close on their 55th year?—That is very often so.

38535. You do not expect that a man of that age should be able to cope with the duties of a District and Sessions Judge. He has had no experience of Criminal work, and in many cases he is too old to be in charge of the administration of a district. That is a defect in the system, is it not?—Yes.

38536. If a certain number could be recruited direct from the profession, all that could be avoided. That would be the advantage. I do not think there is any considerable evidence to suggest that listed posts should be abolished altogether or should be reduced, because that would have a bad effect on the Judicial Service?—I think so.

38537. You have heard of the separation of the Executive and the Judicial functions?—Yes.

38538. I see that in your answer to question (88), you have understood the Judicial Branch of the Indian Civil Service to mean only the Civil Judicial Branch?—Yes.

38539. I suppose the Magistrates are Judicial officers, are they not?—I am afraid I understood the question to mean the Executive and Judicial Branches as they now exist, but I did not understand that it was the general question of separation that was raised, although I noticed that other witnesses had raised it.

38540. The question of the separation of the two functions rises in this way. The Collector is the head of the District and the head of the Police and other Branches of administration, and also the head of the Magistracy, and the question is whether it is not desirable to relieve him of his duties as head of the Magistracy?—I understand the general outline of the proposals, but I am not personally in favour of them.

38541. Have you any opinion at all on the point?—I am not in favour of it.

38542. What is your principal objection?—I think in my written answers I have really indicated one of my principal objections, and that is, that I have the very gravest doubts as to whether the whole legal system that we have set up in India does really work in justice or not.

38543. Supposing we are not in a position to change the entire system of administration here and that the Service has to exist and we have to make the best of the system, what would be your objection then?—I think that I should say that any further advance in the direction of legalising the system is to be deprecated. I think we have gone quite far enough.

38544. It is really with reference to that that I asked you the question. It comes to this, that under this combined system there is what you call a rough-and-ready method of doing justice as apart from legalism?—I do not remember having spoken of it as a rough-and-ready method.

38545. You say it is a rough-and-ready method?—That is intended to refer to Revenue work, not Criminal work by any manner of means.

38546. Magistrate have to administer the Criminal Code and the Criminal Procedure Code?—Yes.

38547. And they cannot travel beyond it?—I fully admit that.

38548. If a Magistrate performs his duty according to law why should his work be supervised by an Executive officer and not by a Judicial officer?—With regard to the question of supervision, I should say that, if there is a guarantee of adequate supervision by the District Judge, a large part of the objections would be removed. I cannot speak with authority, but my impression is that the Subordinate Civil Courts are very far from being adequately supervised at present.

38549. Supposing that a District Judge could adequately supervise, you would admit that he would be competent to supervise the work of the Magistrates? Appeals lie to him; he holds the session, and he has the highest criminal jurisdiction in the district?—Clearly he is competent.

38550. As competent, if not more competent, than the District Magistrate, you would say?—Yes.

38551. Then in that case there would be no objection to placing the Subordinate Magistrate under the District Judge?—I do not think there would be any objection provided that my difficulties as to supervision were removed.

38552. You know as a matter of fact there is a considerable body of Indian public opinion very strongly in favour of the separation of the two functions. We read constant complaints, for instance, in the newspapers?—I admit that the newspapers very frequently refer to the subject on those lines.

38553. And the members of the legal profession hold very strong opinions regarding that?—I do not know.

38554. Can you suggest any other objections in addition to those you have already given us?—Perhaps I might put it in this way, that if the system of administering civil justice were so modified that a great many of the petty Civil cases were disposed of in a very summary manner locally in the villages by the Munsifs and Subordinate Judges, so that they were in a position in the course of their work to acquire a knowledge of the manner in which things actually do occur in villages, then I think there would be very much less objection to entrusting the administration of Civil and Criminal justice to the same class of officers.

38555. You suggest in your print that Munsifs do not know the people?—I do not think I used those words. I said that if they exchanged the duties with the Executive branch they would know a great deal more about the people. You will find it in the last sentence of my answer to question (18).

38556. What is your basis for suggesting that Munsifs know less about the people than Deputy Collectors?—I take it they start on the same basis to begin with, but the Deputy Collector's work enables him to come into much closer contact with the people. My feeling is that the evidence you get in Court sometimes is absolutely distinct from the facts, and very often has only a very slender relation to the facts. If your work for the most part consists of hearing such evidence, and that is continued year after year, it must produce a frame of mind which really cuts you off from access to what is actually going on.

38557. Supposing that a Judge, according to the law, must confine himself to the evidence given in Court, and is not entitled to travel beyond that evidence, even if he has any information outside it, must he not put all outside knowledge aside and apply his mind to the evidence given in Court and act upon that

evidence? If that is the Law, then I take it your objection would disappear?—My feeling about it would be that in trying Criminal cases as regards conviction I am absolutely bound by the evidence, but as regards the acquittal I am not.

38558. Is that so?—Certainly: I should be prepared to take the responsibility in any case in which I had a real doubt even though I could not justify it on the evidence. I should absolutely refuse to take the responsibility of convicting.

38559. If you had a real doubt that the evidence was not true you would be quite right; that is the Law?—Quite so, but in order to form a correct opinion as to the value of the evidence tendered in Court a very great deal of experience out of Court is necessary.

38560. To appraise evidence undoubtedly; but you cannot act upon any information outside the evidence given in Court on oath?—I have explained my own view as clearly as I can.

38561. Your objection, and I daresay there is a great deal in what you say, is against the whole system of administration, but taking the system as it exists that objection has no force?—I am afraid what I should say in answer to that is that if a system is bad that is no reason for making it worse.

38562. You do not make it worse; you only faithfully follow the system?—In this world I do not think we are able to press home things to their logical conclusions, and having started on a bad system that is no reason why we should insist on having the worst possible results from it.

38563. Does it not come to this, that while you profess to administer the system you do not do it as a matter of fact?—I do not think that is a fair representation of my views.

38564. In your answer to question (7) you object to fixing any proportion, and your objection it seems to me is that if any proportion was fixed then the Indian would have an increased proportion. Supposing the proportion was fixed with reference to the requirement of the present day, and was to last for a reasonable number of years, say twenty to twenty-five, and then the question of increasing or reducing that proportion had to be considered afterwards, what objection would there be to acting on that basis?—I certainly think I should object to an absolute limitation of the number of appointments open either to Indians or to Europeans.

38565. But supposing the limitation was not absolute, but for a certain time, until circumstances required a change?—I mean absolute in that sense of laying down a fixed number of appointments as reserved for one class or the other.

38566. Minimum or maximum?—If you lay down a minimum for one class that becomes a maximum for the other. You do the two things simultaneously.

38567. You would leave matters in a state of absolute uncertainty?—I think I should leave the open competition to be carried on as at present.

38568. In that case do not you think the Indians would be entitled to ask that equal opportunities should be given to them by holding the examination in India?—I do not think they are entitled to ask that.

38569. Why should an examination be held in London, so far away from India to their disadvantage and to the advantage of English candidates?—I think one must begin in the first place by defining the qualities which are considered necessary to be possessed on the average by candidates for the Indian Civil Service.

38570. There have been cases in which an Indian after a year's training in England has passed into the Civil Service. You would not suggest that one year changes the entire character?—What I feel is, that having fixed the system which on the average gives you a class of officer you want, you are not bound in any way to say that every officer you get under that system will be the kind of man you require. I think I have said in my evidence that a system is not justified by the exceptionally brilliant men nor is it to be condemned by the incompetent men.

38571. I believe the fact is that most of the Indians who have got in have not been in England for more than two years before they appeared for the open competition?—I cannot possibly say, as I have no information on that.

38572. (*Mr. Madge.*) With regard to your answers to questions (1) and (3), either from defect of insight on my part or some omission of definition on your part, I have not got at the real inwardness of your opinion of this competitive system. Would it be unjust to you to say that you regard the competitive system as a sort of Procrustes bed in which all candidates have to be laid, and you have to trust to Providence for the results afterwards?—I do not think I wish to put my opinion in that form. On the whole, the class of candidates who come forward for the open competition are persons who are suitable for employment in the Indian Civil Service. There are more candidates than there are vacancies and you have to settle somehow which of these candidates are to obtain the vacancies, and I believe the best way of doing that is by open competition. It is not ideal, but the moment you get to a state of affairs when you cannot say that a great majority of candidates coming forward are suitable, then the system of competitive examination breaks down. The necessary basis of it is that of the men who are likely to pass the great majority are in other respects suitable.

38573. Do you think that the existing system tests all the qualities, character and others, that are needed for ruling in this country?—I do not think an open competitive examination can test a great many of the qualities required.

38574. Then a great deal is taken on trust?—I think it is undoubtedly taken on trust;

and you can only judge by experience whether your trust is justified.

38575. That is almost coming back to my first definition. In your answers to questions (43) and (51) you say: "My own experience in 1898 and 1899 was that the greater part of the year of probation was so much time wasted," and you say the study of procedure of Law without practical experience of what it means is an utter waste of time. Do you think it is better to get to actual work in India and learn from experience?—You must learn a great deal from experience, but I quite admit it is rather hard on the litigants if you are going to learn the whole of your work from experience. If it cannot be learned from the reading of books there remain only two possible ways. The first is to try to do it yourself, and the other is to see a Judge actually doing it in Court, and it is for that reason I consider attendance at the Courts is so important, because at any rate one would learn to avoid more obvious mistakes.

38576. Balancing what you consider an actual waste of time in probation at home against learning by experience here, which do you think benefits the responsible officer most?—If the year of probation was to continue on its present lines I should say, rather than that, abolish it altogether, and bring the man out at once. He is not doing any good at all during that year.

38577. In answer to question (15) you say you are decidedly of opinion that the age should be so fixed as to attract either candidates of the normal school-leaving age or candidates who have completed a University course; but those are two opposite poles of the question, are they not?—What I wished to do was first of all to eliminate, as being the worst of all possible courses, the intermediate stage: and in the second place to express my own preference for the end of a University course over the end of a school course.

38578. Does it enter into your mind that in the latter case character is better developed than in the earlier age, and that the man is therefore more competent for responsible office?—He certainly is more mature. He is at a later stage in his development and his character must be more formed at the end of his University course than at the end of a school course. If you fix the entrance age as the end of a school course you would no doubt have a longer period of probation, so that the difference in age at the time the man actually came out would not be so great.

38579. Some witnesses think that a man by coming out early in life, at a more impressionable age, takes in Indian conditions and conforms to them better than an older man. The opinion you have just expressed is that a man's character, developed at home, is developed under better conditions when he comes out here. Taking all the facts into consideration, which of the two would you really prefer?—On the whole I prefer the latter.

38580. With regard to the knowledge of the vernacular, can you acquire it to any useful purpose out of this country?—A literary knowledge certainly.

38581. A useful knowledge?—Do you imply that a literary knowledge is of no value?

38582. It may be. I mean if it is purely scholastic. I have mentioned before the case of a civilian who read out a document to a ryot in a serious way and was told by the ryot that he did not understand English?—That is a kind of experience that has happened to all of us at some stage; but if by useful knowledge you mean a colloquial knowledge then beyond question it must be acquired in this country.

38583. I see you do not attach much importance to residential Universities as such. Are you prepared to go so far as to regard a reverence for that as a sort of fetish? Do you not attach importance to a residential University, as contrasted say with the Scotch Universities, which are not residential?—It all depends whether your candidates have, before their period of probation, already gone through a University course. If they have already gone through a full University course I am very doubtful whether they can obtain very much more good out of the University. My year of probation at Oxford was my sixth consecutive year at the University and I did not enjoy it very much. All my contemporaries had gone away, and I did not learn anything particularly, and I am very doubtful whether men who have already gone through the full University course ought to stay on for another year.

38584. But whether they have or not, do you think the reverence usually expressed for residential Universities as a means of gathering tone and all that sort of thing is or is not a mere fetish?—I think for the development of character the residential University ought to be preferred on the whole.

38585. You do not think that the Scotch Universities turn out quite as good men in every respect as Oxford or Cambridge for the Civil Service?—I do not know very many men who have come direct from the Scotch University. The only ones I can think of have been to Oxford for a couple of years after taking their degrees at Edinburgh. I do not think I can express an opinion about that.

38586. In answer to question (88) you refer to the Executive officer moving about among the villagers, and resorting to rough-and-ready methods of setting wrongs right as I take it. Have you come across instances in which this sort of Executive procedure within the limits of the Law, exercising personal influence, have prevented litigation?—Undoubtedly.

38587. You have also remarked that although you are bound to carry out the Law you think we have gone along rather fast in substituting the reign of Law for the old system?—I think so.

38588. And although you cannot override the Law, you feel bound as far as possible,

by personal influence, to withstand any evils arising out of the existing system?—I think so; and I think legitimate opportunities undoubtedly ought to be taken.

38589. Opportunities do occur?—Yes, sometimes, but it all depends on how the question arises. Once the question has been brought before one as a Magistrate one has to treat it as a Magistrate. But very often one can get hold of the matter before it reaches that stage and act freely.

38590. Within the last few years has false litigation or perjury increased in this country?—I am sure I could not say.

38591. As regards the distinction between the inferior and superior branches of the Civil Service where the eight years limit is supposed to divide them, is not that line a sort of fanciful tidal mark which might be bettered by a time-scale in all the lower branches, up to whatever limit may be thought proper?—I have expressed my preference for a time-scale for the Indian Civil Service.

38592. I mean with special reference to the distinction drawn between men who after eight years get into the superior branch?—I do not think it matters whether you call it two scales or one scale provided you have the line of distinction between the men who are in process of training for the higher appointments and the men who are actually filling the appointments of Collector and District Judge.

38593. You suggest in one of your answers that before being entrusted with responsible duties the men recruited from the Bar should undergo a course of preliminary training?—That is, appointments from the English Bar. Question (13) deals with that point.

38594. You say: "It would most certainly be necessary that they should undergo a preliminary course of training for three or four years before they were entrusted with more responsible duties." Would they be on probation all that time?—No, I take it not. I see no more reason why they should be on probation than why the Indian Civil Service proper should be on probation during that time.

38595. Except that a Civilian is not at once invested with such responsible powers as a Barrister would be on being made a Subordinate Judge?—My view was that if you were to recruit from the English Bar, you would have to employ them on other than Judicial duties during the earlier years. I think I have explained that at length in my written evidence.

38596. (*Mr. Fisher.*) You have given an opinion in favour of a University education for Civilians. Would it meet your views if that University education were to take place after the competitive examination instead of before; if it were to be, for instance, a University course?—If a man were allowed to read Greats for instance after passing the Entrance?

38597. I was rather thinking of a University course partly of jurisprudence, partly of Indian Ethnology and Indian History, and partly of the Indian languages—a course specially devised, something between the course of jurisprudence at Oxford and the course of the Oriental language?—I am afraid it would not meet my views on the subject. I think you want the broadest kind of training. It would be specialising too soon.

38598. You would not like to see candidates undergo a probationary course until they had reached the age of about twenty-three?—That is my view.

38599. Do you think that a University course other than the Greats course is particularly educative to intending Civilians?—I think so undoubtedly. I do not feel the least inclined to say that the course I happened to take myself is to be the only one that is to be approved.

38600. For instance, if you had a choice between a course of higher Mathematics at Cambridge on one hand, and a course of Indian studies on the lines I have mentioned on the other, do you think the course of higher Mathematics would be really better for the intending Civilian?—I think it is important that there should be one or two higher Mathematicians in the Service. It is important that men who have read in all these different schools should find a place in the Service. If they had all read the same course you would be breeding too closely to type.

38601. (*Mr. Chaubal.*) I gather from your answers to the Chairman that if Indians were recruited in India by a separate examination there would be difficulty with regard to their complete assimilation in the Civil Service cadre. Do you think there would be the same kind of objection to a proposal which has been made of selecting men with University degrees in Honours, without subjecting them to any examination, sending them Home for study in a University, and bringing them out and making them part and parcel of the Civil Service cadre? Would not there be the same objection which you apprehend in the case of separate examinations?—My view is that there would be the same objections.

38602. You recommend six years as the period at which bifurcation should take place between the Judicial and the Executive: does that six years include the two years of probation?—Six years after arrival in India is what I mean.

38603. That is to say, it would be in addition to the probation course in England?—Yes.

38604. I suppose you want these six years for the purpose of enabling the young Civilians to get a knowledge of Executive and Revenue work in moving about in the districts?—Yes.

38605. Would you have much objection if that period were reduced to four years, as has been suggested by some witnesses?—I do not think one can be very dogmatic as to the precise period that is desirable, but my

feeling is that about six years is nearly right, and that four would be rather short.

38606. I thought in one portion of your evidence you referred to the mind getting thoroughly set by doing one kind of work; do you think there would be a danger that a man who worked for six years in the Executive line might have his mind positively set to that work?—No, I do not think so in six years.

38607. Would the training in Law, whatever it was, come in after or before the six years?—Any man who had not specially distinguished himself in Law before he came out to India would be obliged to undergo a special training, which so far as I can judge would probably best be carried out in England. That would practically amount to study-leave.

38608. If the training in Law which you propose to give comes after six years then there is no point in the fear I expressed, but if a man has learnt his Law before coming out to India and then he is put for six years to do Revenue and Executive work, do not you think there might be a tendency to destroy the Judicial frame of mind?—I do not think so. That is certainly not my own experience. I do not find it more difficult now than I did when I first came out to apply my mind impartially to the facts of the case before me.

38609. Have you had occasion to make any appointments as Government Pleaders?—No. I have only really had experience of a Government Pleader in two districts, and I do not think that gives me a sufficient basis on which to form an opinion. My opinion would not be of any value to the Commission.

38610. I suppose in this Province as in other provinces, Pleaders make much larger fees in defending accused persons than the Government Pleader does in prosecuting?—I should think that is certainly very often the case, but there again I cannot speak from first-hand knowledge.

38611. The nature of the Public Prosecutor's duties generally confines him to the District Station where the Sessions are ordinarily held?—Yes. Obviously, there would be a certain amount of limitation.

38612. Therefore a Pleader who has a large mufassal Criminal practice, defending accused persons, refuses to take a Government Pleader's place because of the income?—I can imagine quite easily that a good pleader might refuse the appointment of Public Prosecutor for such reason.

38613. Your objection to the recruitment from the Bar is, of course, very strong as regards those persons who are born and bred up in the Presidency towns without any knowledge of the mufassal?—They are not necessarily born and bred, but they have passed a very considerable portion of their adult life in the Presidency town.

38614. As for instance a place like Bombay, where men whose whole education has been in Bombay, are quite ignorant of mufassal conditions. But is it not your experience in the different provinces that the Appellate Bar generally consists of men from the mufassal, and the successful men on the Appellate Side are generally those who come from the mufassal?—I really could not say.

38615. I want to know whether you would rigidly confine recruitment to Government Pleaders only or would leave a choice between Government Pleaders and pleaders possibly of higher standing and greater practice, whose only fault might be that because they are not Government Pleaders they are more often engaged for the defence than for the prosecution?—If direct recruitment from the Bar is to be introduce, on the whole I do not think I would confine it to Government Pleaders.

38616. Do you think that any partial recruitment from the Bar would be calculated also to raise the tone of the Bar? When practitioners know that recruitment is possible from their body to posts of the importance of District and Sessions Judges, it would have some good effect in raising the tone of the Bar, would it not?—It is conceivable that it might, but I doubt whether the total number of appointments is large enough to be felt as an incentive to the Bar generally.

38617. It has been proposed to us in some places that one-third should be taken from the Civil Service, one-third from the Bar, and one-third from the Provincial Civil Service. What is your opinion upon that method of recruitment?—I do not see that the necessity of it or the desirability of it has been proved.

38618. It is not from that point of view that it is suggested, but from the point of view that you can get material from three different sources which is likely to be of use, and therefore why should such material be thrown away?—The question is whether you would be getting as good material as you are getting at present. You would have to take it from that point of view also.

38619. There is one point in your answer to question (100) which I do not quite follow. You say there that it would be necessary to have separate scales for the Executive and Judicial Branches, and I should like you kindly to elaborate that?—Under the existing rules the minimum pay of a Collector is Rs. 1,500 a month, and the minimum pay of a Judge is Rs. 2,000 a month. So far as I remember when I first came out, officers were confirmed as Judges two or three years later than the time at which their contemporaries were confirmed as Collectors. The present state of affairs is that Judges and Collectors are confirmed at almost precisely the same date. The result is that the pay of the Judicial men is very much higher than the pay of the Executive men of the same standing. I think that must be accepted as a fact and must be provided for in any system of remuneration. The Judicial branch of

the Service is not so popular with most men as the Executive branch and therefore you must make it attractive by offering more pay.

38620. That is felt in other Presidencies, that the Judicial line is not so much sought after and therefore the salary should be proportionately higher in order to induce people to take to the Judicial line?—I think that is so.

38621. You said you would like to have different scales for the Executive and Judicial branches; differing in what?—They will have to bifurcate at the point where the choice is made between the Judicial and the Executive, and in the Judicial one would have to go up a great deal faster and rise to a higher maximum.

38622. (*Sir Murray Hammick.*) You said to the Chairman you were afraid that any method of recruiting into the Service except through the open door at Home would lead to a great distinction between the two kinds of men in the Service, and when you were asked about military men and Civilians you said you did not know anything about them. But have you not in this province a difference between the two sets of men recruited into the Police, those recruited out here under the old system and those recruited by examination now in England?—I think there is such a distinction, but what the exact nature of the distinction is I have really forgotten.

38623. The old system of recruitment was by selection in India. Is there any distinction known, either socially or in efficiency or in general respects, between these two different Services?—I do not think there is between the classes of Police officers, but then the line of division is also a line of seniority as well as a line of difference of recruitment, and it would be very difficult for the junior officers to boycott, as it were, the senior officers.

38624. That hardly applies to the people who are close to each other. With regard to this question of the age for recruitment at Home, do you wish to reduce it by one year, to twenty-three years, in the hope of securing that a man who goes up for the examination shall have passed through Cambridge or Oxford?—I think in the majority of cases he would have done so with those age-limits.

38625. Do not you think that is rather doing what you objected to in an answer to Mr. Fisher, breeding too closely to type? Do not you think that getting your candidates exclusively from Oxford or Cambridge is a mistake and breeding too closely to one type of men?—It would not be unfavourable to any other University, to Dublin say, as they would have equal chances. I do not see that fixing the age-limit as I propose would necessarily limit it to Oxford and Cambridge, and I should be very sorry to see it limited to them.

38626. Your object is not to try and get the University man from Oxford or Cambridge only?—You do get such men at present and you would continue to get a considerable proportion of men from other Universities.

38627. But if you reduce the age again to twenty-one your objection is that it comes in the middle of a University course?—Yes.

38628. But does it come in the middle of any University course except the course of Oxford and Cambridge? It does not come in the middle course of any Scotch University, as far as I know, or in the middle of the Dublin course?—I think that is very likely the case. There are a good many men who would desire to enter the Service under these conditions who would not naturally go to either the Scotch or the Irish Universities; they would be the kind of men who would, in the ordinary course, naturally go to Oxford or Cambridge, and if the age-limit was fixed at that intermediate age instead of doing that they would go to a crammer's.

38629. It is the fear of the crammer really?—That is so.

38630. Then if you could get rid of the fear of the crammer, you would not object to a period of that kind?—If the difficulty of the crammer could be got rid of, I should not object to reducing the age.

38631. Has it been brought to your notice that the more senior men of the Service came from more varying classes of schools and education than the men who come out now?—Honestly I do not know. I do not think I ever thought about it.

38632. Have you a District Judge in your district?—We have a District Judge at Muzaffarpur which is the adjoining district.

38633. How many Magistrates have you in your district?—I think at the present moment there are nine stipendiary Magistrates.

38634. How many in the next district under the other District Magistrate, but under the same jurisdiction of the District Judge?—I should think a good many more.

38635. So that if you had the Judge as the supervising officer of these men, he would have double the number of Magistrates to look after that the Collector and District Magistrate has now?—Certainly, under the circumstances of these two districts.

38636. He is also a sedentary officer instead of a touring officer?—That is so.

38637. With regard to the question of training Civilians, you say it would be a great gain if each man spent a second year at head-quarters. I understand that you were fortunate enough to be taken in as Under-Secretary at the end of your first year of service?—No; I was sent to a sub-division at the end of my first year.

38638. How long were you there?—About three and-a-half years, and then I went to an Under-Secretaryship, after about four and-a-half years' total service.

38639. Did your three and-a-half years' work as Sub-Divisional Officer give you a

sufficient knowledge of the way work was done in the district to make you able, when you went back as Collector, to know all the ins-and-outs of it?—It taught one the most important things, but it did not teach one the actual technical details of the Revenue work, for the reason that in this province as in Bengal nearly all the Revenue work is done from head-quarters, and not from the sub-divisions.

38640. And the Sub-Divisional Officer has very little Revenue work to do?—Very little Revenue work indeed.

38641. Does the Sub-Divisional Officer here tour regularly in his division?—Yes. He has to spend, and so far as I have seen he always spends, 90 days in camp in the course of a year. His touring is to be of the same length as the Collectors.

38642. That is in his own division?—Yes.

38643. Is he trying cases all the time?—When in camp he takes his cases, but we try as far as possible to arrange the cases so that you can take them up conveniently for all parties.

38644. I suppose during the time he is Sub-Divisional Officer, he is very often paying visits to head-quarters?—Yes. There is a monthly District Board meeting and a Sub-Divisional Officer is usually a member of that and comes in for the meeting.

38645. You have said that you are rather in favour of bringing the Sub-Deputy Collectors into the same list as Deputy Collectors, but surely that would be a very expensive arrangement to begin with?—I am afraid, if it is, it is an expense that Government is really bound to incur, because at present Rs. 250 a month is the minimum pay which an officer doing a certain kind of work ought to receive.

38646. But these men, as a rule, are doing work under more close supervision, either that of the Divisional Deputy Collector or of the Sub-Divisional Officer, than the ordinary Deputy Collector is doing?—Practically the distinction does not amount to very much.

38647. They are in just as independent a position as the Deputy Collectors?—Very nearly so. There is very little difference in the degree of supervision exercised over them.

38648. The difficulty of throwing them into the Deputy Collector's grade would be that you would have to start with a lower pay?—I think you would have to do that.

38649. That would reduce the attractions to that Service considerably. You will have a much larger cadre of men, and the same number of listed posts, and the same number of higher paid appointments, but you will start on much lower pay and thus reduce the attractions of that Service very much?—We get very much the same class of men for the two Services at present. I think the great number of the men recruited for the Sub-Deputy class are fit to be Deputy Collectors, and if we get them on present rates of pay I think there would be no difficulty in recruiting a suitable stamp of officer for the Provincial Civil Service if the pay were raised to Rs. 150 or better still to Rs. 200.

38650. What it comes to is that you have not got Deputy Collectors enough to do your work?—That is what it comes to.

38651. (*Mr. Hussain.*) In your answer to question (18) of the Provincial Civil Service, you say that if Munsifs were employed for a year or two as Deputy Collectors and Deputy Collectors as Munsifs, the latter would know a great deal more about Law than they do at present and the former a great deal more about the people. Are you aware that there is already a system in existence by which Munsifs are transferred to do the duty of Deputy Collectors for a year or eighteen months, in the Settlement Department?—I am aware of that arrangement in the Settlement Department, and it was that which suggested the idea to me.

38652. Are you also aware that the Deputy Collectors trying cases under section 106 of the Bengal Act do exactly the work of Munsifs under the Civil Procedure Code, that they have to try all the elaborate issues which a Sub-Judge or Munsif is called upon to decide?—I was not aware of that.

38653. I can tell you from my own experience that that is so. Then you say that promotion to the listed appointments should be made by selection and you would not so much care for seniority. In answer to the Chairman you said that although there would be some discontent among the senior members, for administrative reasons you preferred that the appointment should still go by merit and not by seniority?—That is my view.

38654. In other Services most of the higher employments are governed by the same principle of selection and not by seniority really. For instance, a Lieutenant-Governor's post or the posts of Members of Council?—I am aware of that.

38655. You concede that in the Provincial Civil Service also there ought to be a time-scale of pay?—That is so.

38656. You have made some remarks with regard to the time-scale of pay applicable to the Indian Civil Service, and you draw what you call an efficiency bar at a certain age, namely, the eighth year, when they are about to enter a different phase of service, either a Collectorship or a District Judgeship. Would you have a similar efficiency bar for the Provincial Civil Service?—I think it would be very desirable there should be one, but I have never been able to work out the details as to exactly at what stage it should be placed.

38657. You prescribe an efficiency bar for the sole reason that the officer is about to enter a different stage of responsibility altogether, but in this case the work of the men of the Provincial Civil Service is uniform throughout, so that I think you will admit there is no necessity for an efficiency bar here?—I

am not sure. I think it is a very good thing in all Services that there should come, comparatively early in the service, a stage that a man has to get past.

38658. Then you ought to have given a different reason for drawing your efficiency bar in the Indian Civil Service?—I have considered whether it might not come at the point at which promotion to first-class powers usually takes place. I think it would be a very good thing if the granting of first-class powers of trying cases were postponed by a year or two in the case of most Deputy Collectors. I think at present they get their first-class powers before they are fit for them.

38659. Then probably you will place the efficiency bar when they are about to have first-class powers?—That is a possible solution of the difficulty.

38660. Why not a similar efficiency bar for the members of the Indian Civil Service? Surely they ought to exercise first-class powers under similar restrictions?—They have to pass the departmental examinations and their fitness for first-class powers is tested at that point. There is practically an efficiency bar in the shape of the departmental examinations.

38661. You see that a member of the Provincial Civil Service probably is sooner fitted to exercise first-class powers owing to the fact that he is a man of the country and knows the manners and customs of the country; so that broadly there is greater reason for the efficiency bar being drawn more in the case of a member of the Indian Civil Service than a member of the Provincial Service?—I can only say that my experience is not so. Undoubtedly, there are cases of Indian Civil Service officers who do get their first-class powers before they are really fit to use them, but I think there are a great many more cases amongst the Deputy Collectors.

38662. When that stage is passed and he is vested with first-class powers you would draw no other bar?—I do not see any other possible stage when you can get a distinction in duties.

38663. (*Mr. Datta.*) You have said that the Deputy Magistrates should know more Law and that the Munsifs and Judicial Officers should know the people better, and as a remedy you have suggested an exchange of duties. Do not you think the first principle is that Judicial Officers ought not to know the men, but ought to decide cases upon the merits of each case. Supposing a landlord is a tyrannous one, the Judicial Officer ought not to know that he is a bad man beforehand, but ought to decide the case exactly on its merits. In fact, that is the reason why justice is generally represented as being blind?—I fully admit that, but I do not contemplate that a man should be employed first as a Deputy Collector and then as a Munsif in the same district. It may not be right that he should know that the man who has brought a case before him is a tyrannous landlord, but it is certainly right that he should know in a general way the kind of things that might be expected from tyrannous landlords.

38664. That he must have experience there can be no doubt, but he ought not to know the people of a district in administering justice?—I do not mean for a moment that the Munsif is of different flesh from the Deputy Collector, but I do say the nature of his duties cuts him off from a kind of knowledge which I personally regard as essential.

38665. You think the Deputy Magistrates ought to decide cases as Munsifs and know more Law?—Yes.

38666. How can such a man administer justice as a Munsif if he does not know Law?—You have to begin some time, you know. A Deputy Collector is not to be regarded as totally ignorant of the Law.

38667. He is expected to know Criminal but not Civil Law?—A great deal of the work of a Munsif is not so very difficult to learn.

38668. Not exactly difficult, but he ought to know Civil Law before he can administer Civil justice. The imperative test of a Munsif is that he must have passed the B. L. examination or be a Barrister-at-Law?—I do not think practically there would be very much difference. You can put him into a light appointment to begin with where the work is not very heavy so that he would have time to take pains over his work.

38669. It does not depend upon the lightness or the heaviness of the work; he must know some amount of Civil Law in any petty case. There would be a practical difficulty about your suggestion, would not there?—I think that is very likely possible.

38670. You also say that for listed appointments the selections should be made earlier. The Chairman suggested that that would create heartburning and discontent, but do not you think that if the selection were made earlier there would be heartburning and discontent amongst the senior officers?—My view is that it would be worth while to make the appointments at an earlier age at the cost of causing some discontent.

38671. Supposing one man was benefited and forty men became discontented?—I think it is worth while.

38672. Now the selection is made only at a late stage, but you say you would make it at ten years?—I do not think I said I would make the appointments at ten years.

38673. You say: "I see no reason why, after ten years' service, the qualifications of each officer should not be examined, and the most efficient placed on a select list, after which they would be tested in subordinate positions of special difficulty"?—I contemplate that he should be put in what I call the select list after ten years' service, but three or four years would elapse after that before he would be actually appointed.

38674. Then there would not be much difference, because it is now 16 or 17 years and your proposition would be 15 or 16 years?

—I was thinking mainly of the Deputy Collectors. I know more about them than about the Subordinate Judges.

38675. You have had no experience of the work of the Subordinate Judges?—None.

38676. (*Chairman.*) Can you say what the lowest grade of Deputy Collectors is with first-class powers?—It is done by individual officers, not according to grades.

38677. What is the lowest grade?—I could not say without looking at the Civil list which would show in a moment.

38678. It runs through all the various grades indiscriminately in accordance with the merits of the men?—In the higher grades you would find very few men who had not got first-class powers, because if they had not got them they would not deserve promotion.

38679. In the last grade would you find some with first-class powers?—Almost entirely with third-class powers. I could not say whether there were any with first class powers without reference.

(The witness withdrew.)

MOULVI ALI AHMAD, B.L., Officiating Additional District and Sessions Judge, Monghyr.

Written answers relating to the Indian Civil Service.

38680 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I have got no experience of the detailed working of the present system of recruitment for the Indian Civil Service. As I have served under the officers of the Indian Civil Service for the last 25 years and as I live under a Government which is mainly conducted by the Indian Civil Servants, I have got some general knowledge of the system. I think the system is satisfactory in principle.

38681 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—I do not find any fault in the system.

38682 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—Surely not. Before I can answer the last part of this question I must know what principle for governing India is to be followed by the Government. It is difficult to answer the question before one comes to know that principle.

38683 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(*a*) Selection by headmasters of schools approved or otherwise: (*b*) Selection by authorities in Universities approved or otherwise: (*c*) Nomination by headmasters or University authorities and selection under the orders of the Secretary of State: (*d*) Combined nomination and examination: (*e*) Any other method?—I do not consider the present system unsatisfactory.

38684 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—This question cannot properly be answered unless and until the Government declares the principle on which it wants to govern India. As far as I understand hitherto the principle was that the Indian Government should be an English Government and the Administration an English Administration. India is peopled by diverse nation and religion, one nation being opposed to the other in fundamental religious principle. For the purpose of governing such a country as India is, I understand, it was considered safe to have a European preponderancy in the superior posts. The English statesmen must have been guided by the consideration that to have large European item in the Service would secure safety of the Indian dominion and prevent one nation oppressing the other. I do not think in the present state of India the Government can give up these considerations. The duty of the Government is to secure happiness, safety, prosperity and peace to all its subjects belonging to all nationality and religion and to preserve the dominion. If the Government considers that it shall be able to secure all these by opening the Indian Civil Service to the Indian, let the simultaneous examination then be held in India without any restriction. In short, I am not in favour of simultaneous examination in India and in England. Not long ago the system of Statutory Civil Service was introduced. Without sufficient trial it was abolished. In its place another system has been introduced. A sufficient trial has not as yet been given to it. I recommend that let a sufficient trial be given to it before its abolition is decided upon and replacement by another system is thought of. Frequent changes in the system are not favourably looked upon by the people of India. They want that the system introduced must have a fair trial. In the light of experience the defects in the system should be removed to secure its success. In its proper place I shall try to point out some defects in it and suggest remedy therefor.

38685 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—No, I am not in favour of it.

38686 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by "Natives of India" recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I am opposed to any such proposal on the ground that sufficient trial should be given to the present system. If it, however, be considered advisable and necessary to abolish the present system, in that case let a separate examination be held in each province. The proportion I

shall recommend is to be not more than one-fourth and not less than one-sixth.

38687 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that, whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—I approve of no other system than what is in vogue at present. If it be, however, considered advisable to abolish the present system, I should then recommend a system of combined nomination and examination. I consider it desirable, nay extremely necessary, under all systems, that all classes and communities should be represented. To secure that end the Government may declare that so many posts are to be filled up by Natives of India, of which so many will be given to such and such class or community. Next to invite applications and to select applicants and to allow the selected ones to appear in the examination and compete. The candidates of the particular community or class, securing the highest mark, should be appointed in the post which is wanted to be filled up by that community or class.

38688 (11). If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—I am not in favour of it, but if the system described by me in answering question (10) be adopted, I would consider that "Natives of India" should still be eligible for appointment in England, but the appointments made in England and in India together should not exceed one-fourth.

38689 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services. If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—The selection in India should be in lieu of the present system of promoting the officers of the Provincial Civil Service to the listed posts. The inferior listed posts must be taken away from the Provincial Civil Service. I recommend that liberal pay must be given to the officers of the Provincial Civil Service according to the suggestions I am going to submit in my answers to the questions relating to that Service.

38690 (13). Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system that you would propose?—I do not recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service. My opinion is that all the Civil Servants are generally fit to hold both the Judicial branch and Executive branch.

38691 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only, irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent"? If not, please state fully any proposals that you wish to make in regard to this matter?—I am satisfied with the definition of the term "Natives of India" in section 6 of the Government of India Act, 1870. I do not see any reason why persons of unmixed European descent born and domiciled in India should not be included in it It is only just that they should be included.

38692 (15). If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—The age-limit should be between University-leaving age (*i.e.*, 23 years) and school-leaving age (*i.e.*, 18 years). When it is a competitive examination it does not matter whether University or school boys appear in it. The age-limit should be such as to allow both University men and school-leaving boys to appear.

38693 (17). What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—They are well qualified for the Service.

38694 (18). What is the most suitable age at which junior civilians should arrive in India?—I think the suitable age is 24 or 25. The climate of India is such that maturer men should come and not men of very tender age.

38695 (19). What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India," and for other natural-born subjects of His Majesty?—I think 23 or 24 will suit best for Natives of India. Parents do not like to part with young boys. Besides that they must have liberal education in his own country before he should go to compete with European boys on their own ground.

38696 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to

secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well educated young man of the period?—I accept the present principles in vogue.

38697 (21). Please examine the table in Appendix I to these questions, which shows the various phases of the authorised syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (*a*) of school-leaving age and (*b*) of University-leaving age?—I have not got enough experience to answer to this question. But the marks for Greek, Latin, Sanskrit and Arabic languages and literatures should be the same.

38698 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons?—There is no use of Greek, French and German languages for Natives of India as their knowledge is not needed for carrying on the Indian Administration.

38699 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the India Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to the provisions of the India Civil Service Act, 1861 (24 and 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II. and III. to these questions.]?—This question cannot properly be answered until the Government declares the principle, mentioned in answering question (7).

38700 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service Cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—This question also cannot be properly answered without knowing the said principle of Government.

38701 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the India Civil Service Act, 1861 (24 and 25 Vict., c. 54)? Do you recommend any alterations in this system, and, if so, what?—I accept it as generally satisfactory. I have no suggestion to make at present for any alteration in the system.

38702 (27). Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the Administration, whether on executive or judicial duties?—My answer to this question is in the affirmative.

38703 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?—Certainly not.

38704 (33). Please now refer to the rules, dated 26th August 1910, made in exercise of the powers conferred by section 6 of the Government of India Act, 1870 (33 Vict., c. 3), and reproduced as Appendix IV, and to the statement in Appendix V to these questions, showing the number of offices, places, and appointments, commonly known as listed posts, ordinarily held by members of the Indian Civil Service, to fill which it has been declared that members of the Provincial Civil Service can properly be appointed; and say whether the figures given are correct for your Province?—All the posts mentioned in the list are not held by the members of the Provincial Service, therefore I must say that the list is not correct.

38705 (34). Are all the posts thus listed ordinarily and regularly filled by "Natives of India"? If not, please state for the last five years to what extent there has been any failure to work up to the authorised list, and explain the reasons?—Before the present partition they were regularly filled by Natives of India.

38706 (35). To what extent also during the last five years have these listed posts been filled—(*a*) by members of the Provincial Civil Service; (*b*) by other "Natives of India"? Please give the names and positions of the latter, if any?—(*a*) Within last five years all the listed posts were filled by the members of the Provincial Civil Service. (*b*) None was filled by other "Natives of India" as far as I am aware.

38707 (36). Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilised and in what directions?—No. So very few of the listed posts have been given for the Provincial Service that Government could not, I believe, offer any to any other "Natives of India." I do not think under the present state of things the Government can utilize the power.

38708 (37). Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(*a*) to the members of the Provincial Civil Service; and (*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?—(*a*) It gives satisfaction to the members of the Service so far that it has given some additional posts to it. (*b*) The public has no knowledge of the system. The arrangement does not offer any peculiar advantage. Such a system was necessary in view of the abolition of the Statutory Civil Service and of the introduction of a new system of opening the listed post to the Provincial Service.

38709 (38). Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—I think the class of posts listed is suitable.

38710 (39). Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the Administration?—I am inclined to answer the first part of the question in the affirmative. I am not in a position to answer the latter part of the question.

38711 (40). Please now turn to the Indian Civil Service Act, 1861 (24 & 25 Vict., cap. 54), which will be found in Appendix II. to these questions, and say how many "Natives of India" have been appointed permanently to posts in your province under its provisions during the last five years, giving names and the nature of the posts so filled?—The Province was formed only on the 1st April last (1912). This question therefore does not apply to this Government.

38712 (41). Are there any other ways in which "Natives of India" are appointed to your Province to Civil Service posts? If so, please give details of the same?—There is no other way as far as I am aware.

38713 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—I have got no experience in the matter.

38714 (44). What should be the duration of the probationer's course in England, (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—One year.

38715 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—No.

38716 (47). Do you consider that probationers should receive allowances during their period of probation?—The probationers should receive allowances. I should allow so much as to enable them to live comfortably in England.

38717 (48). If you do not advise attendance at an approved University during the period of probation in England, what alternative course of study do you recommend?—The probationers should attend all sorts of courts and offices to become familiar with the mode of working in England in Judicial and Executive matters.

38718 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—No separate institution would be necessary, but they will remain under the control of the India Office.

38719 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—I accept the principle laid down by Lord Macaulay's Committee in 1854. My answer applies equally to those who pass after leaving school and to those who do so after completing a University course.

38720 (51). Please examine the statement printed as Appendix VI. to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you?—I shall *add*:—(6) Civil Procedure Code, (7) Contract Act, (8) Hindu and Muhammadan Law, and cancel the optional subjects.

38721 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (*a*) Indian Geography, (*b*) Political Economy and (*c*) Accounts?—Teaching of Political Economy and Accounts are desirable.

38722 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—In England.

38723 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—Not required.

38724 (55). What is your opinion of a proposal that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—Not required.

38725 (56). In the report of the Treasury Committee appointed to consider the organisation of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district headquarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—I do not think the objection of the Treasury Committee can be met by a cheap and suitable scheme of instruction in India.

38726 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No differentiation is necessary.

38727 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—There is no arrangement, as far as I am aware, for training the members of the Civil Service.

38728 (61). Is the existing system of Departmental examinations suitable, and if not, what change do you recommend?—I think it is suitable.

38729 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—I think there is great deterioration in the knowledge of the Indian languages possessed by the members of the Indian Civil Service. Formerly they could not go on with the work without learning the language thoroughly well, as vernacular was much in vogue in every department. Now the vernacular records have been displaced by English records and most of the people in town know English, consequently the Civilians can go on with their work somehow or other without having a good knowledge of the vernacular. They do not, therefore, care I believe to learn it.

38730 (63). Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and, if so, what changes?—The rules for encouragement of the study of Oriental languages are not calculated to be an appropriate remedy. In this respect the departmental examination should be made more strict than it is at present. It should be made a rule that unless they learn the vernacular of the Province they should not get charge of any sub-division and should not get any officiating listed post.

38731 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study-leave to Europe, and if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—The proposal that I am going to make in my answers to questions (88) and (89) would not require any especial arrangement for imparting legal knowledge to the members of the Indian Civil Service.

38732 (65). Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—No.

38733 (66). Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch?—No.

38734 (67). Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?—No.

38735 (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty?—No.

38736 (70). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent?—No.

38737 (72). The present theory underlying the conditions of service in the Indian Civil Service is that—(*a*) the members of the Service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—I accept the system as sound. I think the period of eight years is suitable. I have no change to recommend. If the age-limit be lowered, the period of eight years must be changed to nine or ten years.

38738 (73). It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior posts," and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?—I accept it as a suitable arrangement.

38739 (55). To what extent are the functions of the officers of the Executive and Judicial Branches of the Indian Civil Service differentiated? Is any change desirable and, if so, in what directions?—The members of the Indian Civil Service up to the stage of Joint Magistrateship do the Criminal and Revenue work. After that stage some go to the Judicial branch and do the Criminal and Civil work and the rest do the Revenue and Criminal work. I recommend to abolish the difference between the grades of District Judges and District Magistrate and Collector. There should be equal number of

grades with equal pay in the two branches. The District and Sessions Judge may be called upon to act as District Magistrate and Collector and the District Magistrate and Collector may be called upon to act as District and Sessions Judge according to the exigencies of the service. The members of the Indian Civil Service are generally men of such ability as to be able to do any work that they may be called upon to do. We should not be guided by instance of one or two failures in this or in that branch. To a District Judge a knowledge of Revenue matters is as necessary as a knowledge of Civil law is necessary to a District Magistrate and Collector. All Assistant Magistrates should be invested with the powers of Munsif and every Joint Magistrate with the powers of Subordinate Judge. We now have tolerably strong Bar at the headquarters of every district and the Bar shall teach law to the Assistant Magistrate and the Joint Magistrate as it does to us. No separate study of law is needed for the purpose of carrying on the administration of the country satisfactorily. The rules for the competitive examination should be so framed as to select persons of profound common-sense. The people of the country hope that with the officers of a profound common sense and calm temper the administration of the country would go on smoothly. Some years ago I had occasion to see Joint Magistrates trying some petty *ex parte* Civil cases. That sort of thing will not do. The Assistant Magistrates and Joint Magistrates should be required to do the usual duties of Munsifs and Subordinate Judges respectively and they must do the Civil work fully as the Judicial Officers do now.

Written answers relating to the Provincial Civil Service.

38740 (1). Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The general conditions that should govern recruitment to the Provincial Judicial Service as laid down in the Government of India Resolution referred to in the question are generally suitable. In rule V, however, I propose to add that (in special cases) one year's practice as pleader or advocate may be considered sufficient. I am led to make the above proposal in view of the fact that the Calcutta University has raised the period of study for the law examination from 2 to 3 years and that there have been raising of qualification and stiffening of examination in the Inns of Court in London.

38741 (2). Please supply a copy of the Rules for the recruitment of the Provincial Civil Service in force in your Province. Are these rules suitable, or have you any recommendations to make for their alteration?—The rules are generally suitable.

38742 (3). Please see the statement showing the constitution of the Provincial Civil Service, reproduced as Appendix B to these questions, and state whether the information is correct for your Province. If not, what alterations are required?—The informations are correct.

38743 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—The present system of recruitment by nomination both for the Judicial and Executive Services is working well. I am not in favour of disturbing the system in the present condition of India. The system has, while attaching due importance to University qualification, reconciled the claims of the various communities and sects inhabiting the Province. The present system has given impetus for higher education to the backward communities. I have not in my mind the Muhammadan especially. It is the present system that has made the Provincial Services accessible to Uriyas and Sonthals. Without equal advance in education throughout a province the competitive examination is sure to be unpopular.

38744 (7). To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?—This Province has only recently been formed. Both the Judicial and Executive Services have more than 75 per cent. non-residents. This could not be avoided. I think recruitment to the Provincial Services should be confined to residents of the province.

38745 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—At present all classes and communities are not duly represented in the Provincial Services. The existing system of recruitment, if allowed to continue, will accomplish that good work in a short time. In my opinion it is good and fair that the present policy of representation of communities should be continued and extended to other departments also.

38746 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and if not, what alterations do you recommend?—Advocates and pleaders who have practised for 3 years are enrolled for employment in the Judicial Service. Generally an officer has to officiate for about two years as Munsif before he gets a permanent appointment. This period of two years generally spent in half a dozen places gives sufficient training for the Judicial Service. There is a period of probation in the Executive Service during which the probationer is given non-judicial work of every kind and has to prepare records at sessions trials. The probationers are allowed opportunity for study. The system prevailing in both branches of the Service is satisfactory.

38747 (10). Is the existing system of departmental examinations suitable, and if not, what changes do you recommend?—There are no departmental examinations in the Judicial branch. The existing departmental examinations in the Executive branch are suitable and necessary.

38748 (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—In the Judicial Service there are two classes, *viz.*, Subordinate Judges and Munsifs. No change is needed. The designation "Munsif" may be changed to "Assistant Subordinate Judge." In the Executive branch also there are two classes, *viz.*, Deputy Collectors and Sub-Deputy Collectors. In my opinion the Subordinate Executive Service should be abolished altogether and merged into the Provincial Executive Service. The men in both the Services are of the same social status and qualifications. They have to pass the same departmental examinations. The Subordinate Executive Service does to some extent, and is certainly capable of doing, the same work with equal success as the Provincial Service. The Subordinate Executive Service is a Service of discontented ones and its grievances are real.

38749 (12). What is the system on which the strength of the $\frac{\text{Executive}}{\text{Judicial}}$ branch of your Provincial Civil Service is fixed? Do you consider it satisfactory, and if not, what alterations do you recommend?—I am not aware of the exact system on which the strength of the service is determined. I think the strength should be fixed on the amount of work to be done. The standard of number of cases disposed of during a year is not always safe and reliable. 1,500 suits may in one place be adequate work for a Civil Officer, but the same man may find it very difficult to cope with 1,000 suits in another place. The amount of time a suit takes depends on the nature of the people of a district and the quality of the bar of the place. The general opinion is that both the Judicial and Executive Services require strengthening.

38750 (13). In particular, is the leave reserve adequate, and the system on which it is graded suitable?—The system prevailing in the Judicial Service of keeping enrolled candidates for officiating appointments does not call for a leave reserve. There is no leave reserve in the Executive Service as far as I am aware. The officers of that Service get leave with great difficulty and it is seldom that they get it in time. There should be a leave reserve in the Executive Service.

38751 (14). Is there any reserve for officers under training and is it adequate?—As far as I am aware there is probably no reserve for officers under training. I think no reserve is needed there.

38752 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—The selection for appointments to the higher grades of the Judicial Service rests with the High Court and the system has given satisfaction. The system in practice, though it may be different in theory in the Judicial Service, is that every officer is entitled to promotions to the higher grades unless he proves unfit or does something substantially wrong not to merit promotion. The result is that there is no heart-burning and discontent in this matter in the Judicial Service. In the case of the Executive officers the principle and practice are different. I wish to make it clear that I do not mean to give offence to any class of Executive Officers. I am required to give my opinion on matters of vital importance to the good government of the country and I am in duty bound to place my views and beliefs before the Royal Commission. The system of appointments to the higher grades in the Executive branch is, I understand, based on the confidential reports of District Officers through Commissioner to Government. It is a well-known fact that the officers of that branch have to serve several masters, transfers in that Service being more frequent than in the Judicial Service. It does sometimes happen that a good officer's career is sometimes blasted by the idiosyncrasies of a particular officer under whom he is serving although senior and able civilians under whom the provincial men served previously invariably reported well on his work. The system of confidential reports should be abolished or should at least be given little place in making promotions to the higher grades. These confidential reports hardly act as correctives. Whenever it may be considered necessary to report an officer his explanation should be taken. He should be advised and corrected. At the time of making promotions the past history of an officer's whole career should be weighed as is done by the High Court in the case of judicial officers.

38753 (17). Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—The interests of administration will in my opinion not suffer, and great hardship to officers will be mitigated if a system of time-scale of pay and promotions be adopted in both the judicial and executive branches of the Provincial Civil Services.

38754 (18). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—The functions of the judicial branch are confined mainly to civil litigation, while those of the executive to criminal litigation, revenue and other matters. The executive branch may be divided into two sub-branches, *viz.*:—(*i*) Criminal cases, (*ii*) Revenue cases and other miscellaneous work. The criminal branch should be coalesced and joined with the judicial branch and placed directly under the High Court. Out of 222 Deputy Magistrates in the Province of Bihar and Orissa about three-fourths of the number are vested with first class power. The appeals against their order and decision are heard and disposed of by the District Judges. In every head-quarter one or two Deputy Magistrates are chiefly entrusted with criminal work. Under

such circumstances I think the Criminal Branch may be easily separated from the Executive Branch and joined with the Judicial Branch. I daresay there will be not much extra cost. For Provincial Service one post of Under Secretary has been reserved. That post may be given as a Joint Registrar to the appellate side of the High Court to meet the increased work there.

38755 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—I am quite satisfied with the existing system by which certain posts of the Indian Civil Service are listed as open to members of the Provincial Civil Service of proved merit and ability. The system has worked very satisfactorily and is susceptible of improvement and expansion. The number of such listed posts both in the judicial and executive branches should be increased. There are some defects in the detailed working of the system. Merit and ability are recognised when an officer has put in 23 to 26 years of service. There are some who are given listed posts when they are either on extension or about to take one. I believe this system is not beneficial either to the Government or to the individual officer concerned. Selections for listed posts should be made from officers who have still at least nine years to serve. The officers of the Provincial Civil Service when given listed posts are shown in two places in the Civil List. For the purposes of promotion they are classed and placed with junior civilian judges. It is very rare that a Provincial Service officer rises to the second grade and none has risen to the first grade yet. There is yet another unsatisfactory feature of the system. The pay of a Subordinate Judge of the first grade is Rs. 1,000. The pay of the last grade of the listed posts is Rs. 1,200. A Joint Magistrate of the first grade drawing Rs. 1,900 when made a judge gets Rs. 2,000. The better system would be to throw open a fixed number of appointments in each grade of District Judges and class them separately. The members of the Provincial Service holding listed posts should then count seniority and promotion among themselves.

38756 (20). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—I am satisfied with the system.

38757 (21). Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?—I have no serious objection to the designation "Provincial Civil Service." It may as well be designated after the province it serves.

38758 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—The principle enunciated by the Public Services Commission of 1886-87 is very narrow. The matter should not be looked at from a commercial point of view. The Government should not look only to the market value of graduates but also to the dignity and convenience of the officers who are entrusted with great responsibilities and who should maintain positions commensurate with their dignity and authority.

38759 (23). Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Civil Service authorised on the 1st April of each of the following years:—1890, 1900, and 1912. When was the last general reorganisation effected, and what improvement of prospects was effected thereby?—The province was formed on the 1st of April 1912. The schedules with the question give the following:—

(*a*) *Subordinate Judges*—

		Rs.
1st grade	2	1,000
2nd ,,	6	800
3rd ,,	12	600

(*b*) *Munsifs*—

		Rs.
1st grade	20	400
2nd ,,	19	300
3rd ,,	19	250
4th ,,	10	200

EXECUTIVE BRANCH.

Deputy Magistrates—

		Rs.
1st grade	4	800
2nd ,,	5	700
3rd ,,	12	600
4th ,,	36	500
5th ,,	52	400
6th ,,	54	300
7th ,,	59	250

Sub-Deputy Collectors—

		Rs.
1st grade	7	250
2nd ,,	19	200
3rd ,,	39	175
4th ,,	37	150
5th ,,	27	100

The province was formed only a short time ago and it is not possible to gauge the future prospects of the Services.

38760 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—The existing rates of pay and grading are not satisfactory and the popularity of the Services is certainly waning. There should be four grades of Munsifs as follows:—

		Rs.
1st grade	20	500
2nd ,,	20	400
3rd ,,	20	300
4th ,,	8	250

There should be three grades of Subordinate Judges also as follows:—

		Rs.
1st grade	4	1,500
2nd ,,	7	1,000
3rd ,,	9	700

There was a grade of Rs. 1,500. The officers holding posts in it used to be appointed as Small Cause Court Judges. That grade was abolished in 1892. The judicial officers are required to work very hard. There being no variety in the work it becomes monotonous. They have to sit till very late and hardly get time for relaxation or recreation. With the exception of food grains every imported thing they have to purchase. The depreciation in the value of silver affects the Indian also. The prices of food grains also have notoriously increased. Wages of servants are also enormously increasing. The cost of educating children has also almost trebled during the last ten years. There has been a general advance in the style of living and the officers have to keep pace with that advance. Work is on the increase as is shown by the following figures. I have to depend on the combined figures for the two provinces of Bengal and East Bengal and Assam. The latest figures are not available.

Year.	Income.	Expenditure.	Saving.
	Rs.	Rs.	Rs.
1905 . .	1,36,71,501	61,93,665	74,77,836
1906 . .	1,40,14,754	64,36,820	75,77,934
1907 . .	1,42,29,288	64,90,936	77,38,352
1908 . .	1,44,98,117	66,51,648	78,46,469
1909 . .	1,49,23,684	67,63,592	81,60,092

The increase of income shows the increase of work in the Judicial Department. More than half the income is saved which probably maintains all the other Departments of the District Administration. I may inform that recently the Government has raised the daily Fees of Public Prosecutor from Rs. 16 to Rs. 25 and in especial cases to Rs. 32.

38761 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—I am not satisfied with the present system which does not provide for officiating promotions in the provincial services. If time-scale of promotions is not introduced, I think officiating promotions should be given.

38762 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service, or not?—I am strongly of opinion that the present graded system of promotions should be substituted by a time-scale of promotions. The time-scale should be for all grades.

48763 (28). What is your experience of the practical working of time-scales of pay in other Indian Services?—I have no personal experience, but the general opinion is that officers with time-scale of promotions are more contented than those who have not.

48764 (29). If you recommend any kind of time-scale of pay, please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance? How do you propose to apply such time-scales in provinces where the scale of pay of the executive and judicial branches of the Service is different?—I beg to propose the following scale of pay and conditions of promotions for the Provincial Services :—

JUDICIAL BRANCH.

Munsifs.—(I take them to be confirmed in 30 years of age.)

	Rs.	
4th grade on . .	250	3 years.
3rd „ . .	300	4 „
2nd „ . .	400	4 „
1st „ . .	500	till he becomes a Sub-Judge.

When a particular officer gets a lift to the post of a Subordinate Judge, it must be ascertained how many years are remaining to attain the age of 55 years. Supposing that X years are remaining, then the time for each grade will be $\frac{X.}{3}$ If we suppose X=9 years, we shall have—

	Rs.	
3rd grade on . .	700	3 years.
2nd „ . .	1,000	3 „
1st „ . .	1,500	3. „

EXECUTIVE BRANCH.

	Rs.	
Probationary . .	250	1 year.
7th grade . .	300	4 years.
6th „ . .	400	4 „
5th „ . .	500.	4 „
4th „ . .	600	4 „
3rd „ . .	800	3 „
2nd „ . .	1,000	2 „
1st „ . .	1,200	3 „

48765 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I am unable to approve of the two-thirds system. Ordinarily it is the Subordinate Judge of the first grade drawing Rs. 1,000 a month who is promoted to a District Judgeship on Rs. 1,200. The increment given is Rs. 200 only. The Provincial Service officer has often to go in place of a Civilian Judge. The member of the Provincial Service so promoted has to maintain the traditions of the appointment. The result always is that the member of the Provincial Service has to spend some of his savings if he has any. The same principle which allows a Joint Magistrate drawing Rs. 900 to get Rs. 2,000 when appointed a Judge should be applied in case of the members of the Provincial Service. It is a notorious fact that at present these listed appointments are considered an expensive honour and nothing more by the members of the Provincial Service. I would suggest that the pay of the listed posts should be the same for the executive and judicial branches and would grade them as follows :—first grade Rs. 2,200, 2nd grade Rs. 1,800, 3rd grade Rs 1,600. This pay at first sight compares more than fairly favourable with the pay of the Civil Service. I have good reasons for making the above suggestions. In case of the Civil Service this pay is attained within 20 years

of service and does not express the maxima to which that service can aspire. In the case of the Provincial Service the pay I have suggested will be the maxima at which the most brilliant and capable officer of the Provincial Service will have to retire.

38766 (31). Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15 or 20 years ago? If so, to what is this due ?—The officers of the Provincial Civil Service have never been known to have taken leave for rest or recreation. The present scale of pay and the leave restrictions do not permit those officers to avail it, however necessary it may be for recruitment of health.

38767 (32). Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—The present rules do not permit leave on full pay to judicial officers. The executive officers do not often get leave as there is no leave reserve in that Service. It is highly desirable that leave on full pay should be allowed to judicial officers as to executive officers and a leave reserve provided for the latter Service. I think the amount earned is suitable, regard being had to the interests of the public service.

38768 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—The officers of both the Services do not available themselves of any furlough till forced by illness or extremely urgent affairs, as the furlough allowance is very small and the restrictions are very great. The total period spent on furlough does not count for pension. This is another bar to furlough being taken.

38769 (34). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend ?—If the amount of furlough admissible in 30 years' service is not increased, the allowance should be increased to two-thirds of the pay drawn at the time the furlough is taken.

38770 (35). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? - The maximum and minimum leave allowances at present in force are not suitable and should be made to conform to the suggestions I have made in these replies.

38771 (36). Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable? —All leave should be classed under three heads, *viz.*:—(*i*) Privilege leave. (*ii*) Furlough. (*iii*) Leave without pay. Medical leave and leave on urgent private affairs should be merged into furlough. One month's furlough should be earned for every year of service. Leave on medical certificates should be given in special circumstances when neither furlough nor privilege leave is due.

38772 (37). Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the Administration, and, if so, what; and what remedy do you suggest?—As far as I know, the present leave rules have never been a source of inconvenience to the administration so far as the Provincial Service is concerned.

38773 (38). In particular, are they a contributory cause of excessive transfers of officers, and, if so, how can this difficulty be met?—The leave rules in force at present have not contributed to excessive transfers. When the leave rules are made more humane the difficulty may arise. This would have to be met by having a leave reserve.

38774 (39). Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—The restriction imposed by Article 260 of the Civil Service Regulations that six months should elapse after expiry of last leave before privilege leave is taken presses heavily. The restrictions imposed by Article 338 of the Civil Service Regulations are also hard. The balance of furlough due may be taken at any time. Absence on leave is never thought of except under special circumstances. The power vested in Government of refusing leave is a sufficient restriction to discourage abuse and to safeguard the interests of the Administration. There should be difference in the leave rules of Europeans and Indians but they should not be as marked and acute as at present.

38775 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—The maximum should be raised to Rs. 7,200 *per annum*. The present condition is that officers cannot afford to keep up their position after retirement. The pay of the Services is so inadequate that savings are almost impossible. Income-tax should not be charged on pensions.

38776 (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—I do approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence. In their case the minimum period of pensionable service should be five years.

38777 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—I do not approve of the present system. In the case of those officers the maximum should be Rs. 9,000. They will have to keep up position suitable to dignity of the place from which they retire.

38778 (44). Do you consider the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—The existing rules are satisfactory. Compulsory retirement at the age of 55 should be rigidly enforced to allow a free flow of promotions to capable officers.

38779 (45). To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially recognised funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—The Government General Provident Fund has been recently started. Officers have begun to appreciate its advantages. When the pay of the Service is increased, the contribution should be made compulsory. The Postal Life Insurance System may be extended so that one may insure his life for Rs. 10,000; the amount that can be deposited in the Savings Bank should in the case of Government servants be raised to Rs. 10,000 of which Rs. 8,000 may be invested in Government Paper.

38780 (47). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—First-class travelling allowance should be allowed to all officers of the Provincial Civil Services. There should be transfer allowances also.

MOULVI ALI AHMAD called and examined.

38781. (*Chairman.*) You are a member of the Provincial Civil Service?—I am.

38782. Holding a listed post in the Judicial Branch as an Additional District and Sessions Judge?—Yes, officiating.

38783. How many years' service have you had in the Provincial Civil Service?—Twenty-five years all but three months.

38784. For how many years have you occupied your present position?—I have occupied the position here and there and then reverted to my judicial post as Subordinate Judge and Assistant Sessions Judge. From May 1910 I have held this post. My permanent post is Subordinate Judge with Assistant Sessions Judge's powers.

38785. You consider that the administration of India should be conducted on British lines and with a preponderating proportion of Englishmen in the superior posts?—Yes; we cannot discard the English element.

38786. In order to preserve harmony between the diverse elements in India you are anxious to see no change in the existing arrangements which in your opinion as yet have received only a short trial. You say that if the present system must be abolished you would recommend a system of combined nomination and examination by classes and communities?—Yes.

38787. And you would lay down that not more than a quarter of the Service, whether recruited in England or in India, should be Indians?—Yes.

38788. You say in your answer to question (12) that if such a proposal were accepted you would abolish the listed posts for the Provincial Civil Service and would compensate that Service by giving the members of it better pay?—Yes.

38789. Why do you say that the listed posts should be abolished?—We cannot have two doors open to us.

38790. But does not your proposal of nomination and examination constitute two doors?—No, only one door. We have nomination and then examine those persons who are nominated.

38791. Would you withdraw from Indians the opportunity of going in for the examination in India with the listed posts abolished?—Certainly.

38792. So there would be only one examination in India with the listed posts abolished?—Yes.

38793. Can you tell us shortly how you would set to work to nominate the candidates?—I would follow the present system of nomination in the Executive Department. It is ascertained every year how many persons are to be appointed and then it is settled what shall be given to each particular class or creed.

38794. Who is to be the body to decide this?—I think the Commissioner is the best person for that.

38795. And confirmation by the local Governments?—Yes.

38796. I see from your answers to questions (6) and (8) that you are a strong supporter of communal representation in the Provincial Civil Service; could you tell us what makes you attach so much importance to that?—There are various reasons. If communities be not represented then one community would be degraded and another would rise higher, and one would be oppressed by another, and so on.

38797. Do you think that any particular community is over-represented or under-represented in this province?—At present it is impossible to say anything. The Government has been only recently formed and the cadre has not yet been settled. We have now all sorts of men without regard to any system.

38798. Are you prepared yourself to say whether there is any particular community that you consider should be represented?—The Muhammadan community must be represented. This is the first year of this Government and the Muhammadans are very much grieved to see that amongst the candidates in the Executive department not a single Muhammadan has been nominated or appointed to office. There is very grave dissatisfaction amongst the Muhammadans in the very first year of this Government's formation. They consider it to be anomalous and ominous.

38799. In your answer to question (11) you press for the amalgamation of the Subordinate and the Provincial Civil Services on the Executive side. Can you explain to us why the question should be considered here?—They have the same standard and I do not see any reason why they should be kept in an inferior list. The Sub-Deputy Collector's post is looked upon with very great dissatisfaction. It is a gazetted post, but they have no status. A Sub-Deputy Collector is sometimes sent out as a duftari, the man who supplies inks and pens and papers and so on, and may be deputed to go to the record room to pick out this record and that record, and so on. Then they are sent out to do certain duties and sometimes those duties are very heavy and onerous. They are given a Treasury charge or put to assist Deputy Collectors, and so on.

38800. You say they have the same qualifications and the same responsible work, and you think they should enjoy the same position and distinction as the Deputy Collector?—Yes. They can be sent to any place and given any menial service, but when they have the same qualifications and are gazetted officers, why should they be placed so low?

38801. You complain of overwork and ask for the strengthening of the Provincial Service in both its branches?—Yes; we are very hard worked; we work all day long.

38802. How many hours on an average do you work each day?—We sit in Court from 10-30 to 5 and sometimes to 6, 7, and even 8, doing the work which is concerned with witnesses, pleaders, and so on. All the other work we do at home.

38803. You think that the burden of work should be distributed over more shoulders?—Yes.

38804. Are those long hours due to an increase in the number of cases or to the increased time that the cases take?—Both to the increased number of cases and the time taken for each case. We have now a stronger Bar and cases take a much longer time than they used to take before.

38805. You complain about confidential reports. You say that the officers have to serve several masters, as transfers in the Service are more frequent than in the judicial service. I take it you mean that various views are sent in with regard to the officer?—Yes. The frequent transfers place them under different sorts of masters, and one has got one sort of view and another sort of view.

38806. Can you suggest any alternative means whereby Government may become informed as to the merits of officers other than reports?—The Government may devise any means to acquaint itself with the merits of its officers but the officer should be informed whenever any defect is reported or there is any complaint and should be given an opportunity to explain.

38807. But it is not always a case of complaint: there must be a general opinion about an officer, his merits, and his position?—They may keep such information secret; but sometimes they find fault with a man for some defect on his part and they do not inform him about it. That is done in the judicial too, where a man is not informed of the character he holds, but the High Court gives him opportunity to explain when especial report is made against him.

38808. You are in favour of a time-scale?—Yes.

38809. And you would like to see the time scale throughout the grades?—Yes.

38810. But you would also accept one in two compartments, one for the lower and one for the higher grades?—I do not wish to have that.

38811. Do not you think that at a certain stage, if it could be done, it is better in the interests of efficiency of the Service that there should be selection?—As far as our Service is concerned it is very difficult to find out who is efficient and who is not efficient. Of course if an officer commits an error he is punished, but generally it is very difficult to find out who is a good officer and who is a bad officer.

38812. But still if you had a time-scale throughout, from the lowest to the highest, without any selection, would not there be a risk of the general standard of energy decreasing?—I do not think so.

38813. You say in answer to question (31) that no officers take leave either for rest or for recreation?—The best example I can give is of myself. I once took twenty-eight days' privilege leave, and at another time five days, and at another time five days; that is all. I was confirmed in the Service at the age of 31, and there has been always a difficulty in trying to complete my twenty-five years' service.

38814. What is the reason that you have not taken more leave?—If I take privilege leave now for a month, if I require privilege leave later on I shall not get it. I must take some leave which would be calculated for my service for pension. Then the pay is so low that it is very difficult, and also allowances are low.

38815. You would like to see higher pay during the period of leave?—Yes.

38816. What period would you like to see on full pay?—We now get half-pay leave for one month and Executive officers get full-pay leave. Generally speaking, we have no privilege leave.

38817. What would you suggest?—We should get full-pay privilege leave for one month after 11 months' service and be allowed to accumulate without being lapsed and without any restriction.

38818. (*Sir Murray Hammick.*) In answer to question (30) you speak of the people appointed to listed posts having only two-thirds the pay of the Indian Civil Service?—They do not even get that.

38819. When you take over a listed post do you generally take the house of the officer whom you are relieving?—Yes; we must take his house.

38820. Very often it is a house that a European has occupied?—Yes.

38821. And you have to pay the rent for that house?—Yes, which means from Rs. 100 to Rs. 150.

38822. And you have to maintain the traditions of the appointment?—Yes; we must have a carriage and horse, and so on.

38823. And I suppose you must do some entertaining to keep up the character of the Judge?—Yes.

38824. That is the reason why you want the additional pay?—Yes.

38825. In answer to question (43), you say that in the case of officers of the Provincial Civil Service holding listed posts the maximum pension should be Rs. 9,000. That is a higher pension than anybody draws out of the Civil Service. Would not you be satisfied with Rs. 6,000?—The Civil Service pension should be raised.

38826. Would not you be satisfied with something less than Rs. 9,000? What is the pension you draw now?—Rs. 5,000.

827. Some officers have suggested that they should get for listed posts the extra Rs. 1,000 that some officers get now in other Services. Would not you be satisfied with that?—That would be rather too small.

38828. What is the meaning of this phrase in your printed statement: "The Postal Life Insurance system may be extended so that one may insure his life for Rs. 10,000"?—At present we can only insure our lives in the Postal Department for sums up to Rs. 4,000.

38829. You would like that extended to Rs. 10,000?—Yes.

38830. (*Mr. Fisher.*) You have had a long experience of the Provincial Civil Service and should be able to say whether the character and ability of the Service continue to improve?—Yes.

38831. Do you think it is attracting an increasingly qualified set of men?—Decidedly.

38832. Are you put to any considerable expense for the purchase of Law books?—No. Personally I do not purchase them.

38833. Have you a Law Library?—We have a Government Law Library.

38834. And that supplies all your wants?—Yes.

38835. (*Mr. Abdur Rahim.*) You said that outside the Court hours your mornings are occupied with judicial work?—Yes.

38836. What other judicial work?—Writing out judgments.

38837. Is that every day?—Almost every day.

38838. Do you write miscellaneous orders at home also?—There are some petty small orders that we write in Court, but the larger orders we write at home.

38839. Do you work also on Sundays?—Sundays are our very life and soul. We are more busy on Sundays and small holidays than any other days. On those days we sit from morning until evening, except for an hour or two for meals, and write very hard. We write out all big judgments on those days.

38840. Do you sit every Saturday in the month except the last Saturday?—We have no such thing here. We sit every Saturday. The last Saturday holiday is only for the Executive officers.

38841. Not for the Judicial officer?—No. We seldom get casual leave either.

38842. You have also to work on your short holidays?—Yes. We only enjoy the long vacation holidays. All our other holidays are taken up with work.

38843. How long has this state of things been prevalent?—It has been prevalent as long as I have been in the Service.

38844. Is it not a fact that the health of the officers deteriorates very rapidly?—Yes. It is rather an extraordinary thing that some of them keep in good health, but most of them are suffering from diseases of the head or paralysis.

38845. This complaint of overwork I suppose is a very old thing now?—Yes.

38846. Has any attempt been made to remedy it?—There was an attempt, but no benefit resulted from it.

38847. Are not additional Munsifs or Additional Subordinate Judges appointed from time to time to relieve the congestion?—Yes, when it has become impossible for one man to go on with the work.

38848. You think those remedies are not adequate?—No.

38849. Have you any idea of what ought to be the increase in the staff of Munsifs and Subordinate Judges?—That requires consideration.

38850. Is that question now under consideration by the High Court?—No, not as far as I am aware.

38851. You talk of confidential reports on the executive side: is there any complaint on that score in your Service?—No.

38852. Some of the witnesses have told us as a matter of fact that if there is any particular matter against a member of the Subordinate Executive Service he is told what is wrong and asked for an explanation?—As far as I am aware, some friends of mine about whom reports were made were not told.

38853. Are you told in your Service?—Yes, we are either told or at once punished. They get information somehow or other.

38854. You do not draw full pay during privilege leave I understand?—No.

38855. Have you got any privilege leave?—It is called privilege leave, but we only get half-pay.

38856. Privilege leave is allowed to members of the Executive Service, one month in the year?—Yes.

38857. Of course you have the vacation?—Yes, the long vacation, and they have also got their vacation. We get a little more than they do.

38858. What do you get?—We get one month.

38859. What do they get?—They get about fifteen days.

38860. You do not get even 15 days on full pay, do you?—No.

38861. So that there is the same inequality there?—Yes.

38862. What are the districts which are under-manned so far as the judicial service is concerned?—I cannot say exactly. Recently some Additional Subordinate Judges have been appointed. The heavy districts are Muzaffarpur, Patna, Shahabad, Bhagalpur, and Gaya.

38863. You are proposing an additional grade of Rs. 1,500?—There was one post of Rs. 1,500 in our grade.

38864. You mean there was a Small Cause Court Judgeship at one time?—Yes.

38865. How long has that been abolished?—Since about 1892. The Munsifs were increased and some of the Small Cause Court Judgeships abolished.

38866. How many such appointments were there?—There was none in Bihar.

38867. There was only one in the whole Province of Bengal?—In Bengal there were one or two called the Moving Small Cause Court.

38868. That is very ancient history?—Not very ancient, after the previous Service Commission.

38869. Are you suggesting a Small Cause Court Judgeship when you propose a grade of Rs. 1,500?—Not actually so. From the Judicial Service one Small Cause Court Judge is taken in Bengal for the Calcutta Small Cause Court, but we have not a Small Cause Court Judge of that kind here. I am suggesting for a regular grade.

38870. This Province is only just created and you have not a High Court here yet?—No, but we must ask for it.

38871. I thought this was a regular grade?—It is a regular grade. Here I do not think we should have that sort of Small Cause Court such as we have in Calcutta.

38872. How many appointments do you propose for that grade?—Four. I do not see why we should not have them. Our work is increasing, as I have shown in my table, and the amount of Court-fees derived by our labour is very great. I do not see why we should not get something to compensate us for our hard work.

38873. Do you want to confine this to Small Cause Court work?—Not at all.

38874. It is to be a grade in the Subordinate Judicial Service?—Yes.

38875. How long has the system of investing Subordinate Judges with Assistant Sessions Judges' powers been in existence?—For about fifteen years.

38876. How many Assistant Sessions Judges are there appointed from the ranks of Subordinate Judges?—Two in this Province. There are two listed posts.

38877. It is only a sort of stepping-stone to the District Judgeship?—Yes.

38878. Has he got independent jurisdiction or does he try only sessions cases made over by the Sessions Judge?—He tries the cases that are sent to him.

38879. Are Munsifs appointed Assistant Sessions Judges or only Subordinate Judges?—Only Subordinate Judges. No Munsif has been invested with that power yet.

38880. Supposing the listed posts were to remain, would not you advise that men should be selected at a younger age than they are at present for the listed appointments?—Yes.

38881. Supposing an attempt was made to select from the ranks of the Subordinate Judges and Munsifs capable officers, do you think that would meet with the approval of the Service?—Yes. Why not?

38882. You do not suggest there would be grumbling on the part of those senior men who had been passed over?—Grumbling there will always be, and that would not tend to improve the Service, but those who grumble now might get a chance when it was introduced.

38883. You think on the whole it would be popular with your Service?—Yes.

38884. After what period of service do you think selection ought to be made?—The first grade of Munsifs.

38885. At what age is that grade reached now?—At present we reach Rs. 400 in about 13 or 14 years.

38886. Do Government Pleaders often appear in your Court?—Yes.

38887. Are they generally men in large practice, men of the first rank of the Local Bar?—Generally I see two sets of Government Pleaders, the Public Prosecutor and the Pleaders in civil cases. The Public Prosecutors are not very senior officers generally.

38888. Are not Government Pleaders and Public Prosecutors combined in most cases?—It varies in the districts.

38889. Are there many districts in which there are two separate officers?—Yes; in Manbhum one man does the work of both. In Monghyr we have one pleader who is both a Public Prosecutor and a Government Pleader.

38890. Is the Public Prosecutor allowed to have private practice?—Yes.

38891. When there are two officers the Government Pleader is generally a senior practitioner, is he not?—The Government Pleaders in Civil cases are men in good practice, but when the Public Prosecutor is appointed he is not very high in practice nor a very senior officer.

38892. I suppose Government Pleaders are selected from the capable members of the Bar, who are not perhaps senior men?—They try to pick up able men for Government Pleaders.

38893. Is it an appointment very much prided in the districts?—Yes. Their status at the Bar is raised.

38894. In most of the districts of this province is the Bar a competent Bar?—Yes, the Bar is competent now, but not so competent as in Bengal.

38895. The Patna Bar is strong?—Yes.

38896. Is the Gya Bar strong?—Yes.

38897. And Bhagalpur?—Yes.

38898. And Muzaffarpur?—Not so strong as it was.

38899. Can you tell me whether a certain number of appointments can be made direct from the Bar to District Judges?—I am not in a position to say how that would work.

38900. You mean the experiment has not been tried?—Yes. A Pleader who has a good practice would not desire to get into the Service. In the High Court some of the Judges are taken from Pleaders, but they remain within Calcutta where they were appointed. Here, however, they must knock about and stay in one place for two or three years, and I do not think they would like it.

38901. Would the remuneration be attractive to really able men in the district Bars?—I do not think so. A Pleader at Rs. 800 can remain as comfortable as a Government servant with Rs. 2,000.

38902. He can live more economically?—Yes, and more comfortably.

38903. Would the attraction of regular pay and pension and prospects of elevation to the High Court be sufficient to induce really capable men to accept the position?—I have no idea at all. I cannot say anything about it. It requires experimenting.

38904. (*Mr. Datta.*) You are not satisfied with the two-thirds pay for the listed posts?—No.

38905. Is two-thirds pay given to Judges?—No; they have fixed it at a certain amount which is less than two-thirds.

38906. By how much do you say?—That is a matter of calculation.

38907. Do you know the last grade pay of District Judges?—We get Rs. 1,200 and they get Rs. 2,000.

38908. And two-thirds of Rs. 2,000 comes to more than Rs. 1,300?—That is so.

38909. You say that class representation should be made in the selection of the Provincial Civil Service?—Yes.

38910. Do you know that a Munsif cannot be appointed unless he is a B.L?—Yes.

38911. Then class representation must mean representation among qualified men?—Certainly.

38912. By a proportion of qualified B.L.'s from the different classes?—Yes.

38913. (*Mr. Hussain.*) You favour the amalgamation of the Subordinate Executive Service with the Provincial Civil Service?—Yes.

38914. Have you considered the fact that up to a certain time, I think about the time when Sir Charles Elliott became the Lieutenant-Governor of Bengal, these officers were recruited altogether in a different manner, and they were seldom entrusted with the powers of a Magistrate of the third class, and never with the powers of a Magistrate of the second class; they mostly had to do semi-outdoor work, and they absolutely got nothing unless they travelled more than fifteen miles, and then only for the extra miles over fifteen and not for all the miles they travelled? Then came a change of system of recruitment and they are now vested with certain powers. Do you know that they now perform altogether different and superior functions from what they performed formerly?—Yes. During the time of Sir Charles Elliott the B.A. and M.A. were taken in, and he insisted on their passing all the examinations that the Deputy Magistrates passed, and some of the Deputy Collectors in those days were invested with first-class powers even.

38915. Do not you think the discontent on the part of the Sub-Deputy Collectors arises from the fact that they are recruited from the same class of men, similarly qualified, and have to-day exactly the same duty, except for first-class powers? Do not you think the discontent is legitimate?—Surely it is a legitimate complaint.

(The witness withdrew.)

(Adjourned till to-morrow at 10-30 A.M.)

At Patna.

Tuesday, 25th March 1913.

THIRTY-EIGHTH DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

SIR MURRAY HAMMICK, K.C.S.I., C.I.E.
SIR THEODORE MORISON, K.C.I.E.
MAHADEV BHASKAR CHAUBAL, ESQ., C.S.I.
ABDUR RAHIM, ESQ.
WALTER CULLEY MADGE, ESQ., C.I.E.
HERBERT ALBERT LAURENS FISHER, ESQ.

And the following Assistant Commissioners:—

WALTER MAUDE, Esq., I.C.S., Member of the Board of Revenue.
KHAN BAHADUR ASHFAQ HUSSAIN, Deputy Magistrate and Deputy Collector.
NARENDRA KRISHNA DATTA, Esq., B.L., Officiating Additional District and Sessions Judge, Shahabad.

M. S. D. BUTLER, ESQ., C.V.O., C.I.E. (*Joint Secretary*).

THE REV. ANDREW CAMPBELL, D.D.

Written answers relating to the Indian Civil Service.

38916 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I accept the present system of recruitment by open competitive examination in England for the Indian Civil Service as the best at present possible. The men who come out to India under the present system are, on the whole, highly satisfactory, and this would of itself show that the principle on which they are recruited is generally satisfactory.

38917 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—I would make no difference as to Natives of India. The rule should apply equally to all. An examination in England and a probationary period spent there is equally desirable for all.

38918 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—Simultaneous examinations in India and in England are opposed to what I consider to be for the best interests of India. Residence in England for a fairly long period is necessary to imbue Natives of India with the spirit which dominates English Administration in India. Where Natives of India mainly fail is in the spirit with which they regard the common people of the country. The figment of high castes and low castes which dominates those who find their way into the Service must be discarded before a Native of India can become a successful Civil Servant, and a fairly prolonged residence in England at an impressionable age is absolutely necessary.

38919 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—My opinion is that such a system would injuriously affect the Administration. A residence for a longer or shorter period in England is in my opinion absolutely necessary, for all Natives of India admitted to the Indian Civil Service, and for this the suggested system of recruitment does not provide.

38920 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular, do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I do not approve of any departure from the present system of recruitment for the Indian Civil Service. I am opposed to all recruitment of Natives of India in India.

38921 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of

India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—I consider residence for a longer or shorter period in England absolutely necessary for all who hold the higher appointments under the Government of India, or Provincial Governments. The listed posts should only be filled by such.

38922 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Acts, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—I have no objection to the present statutory definition of the term "Natives of India."

38923 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—Between the ages of twenty-three and twenty-five years.

38924 (15). What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India, and for other natural-born subjects of His Majesty?—There should, in my opinion, be no differentiation between the age-limits for Natives of India and for other natural-born subjects of His Majesty.

38925 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—I do consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service. All posts for which expert knowledge is necessary should not be so reserved. The post of Director of Agriculture, for instance, should not be reserved. The highest expert talent in England should be available for it.

38926 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—I am strongly of opinion that under present conditions, it would injuriously affect the Civil Administration to admit to the higher posts a larger proportion of Natives of India than are at present admitted.

38927 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—I am opposed to all special arrangements in India by which the Indian Civil Service cadre may be recruited. My opinion is that Natives of India, especially those who aspire to Government service, by their home training and environment are devoid of the qualities which alone can make a successful administrator under the British Government in India.

38928 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—Provincial Service men, as I understand the Service, lack what in my opinion is absolutely necessary, *viz.*, a training in England of a certain duration, and should not, therefore, be promoted to the higher posts.

38929 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one quarter of the listed posts?—No. My contention is that these posts should only be filled by men who have had some training in England.

38930 (27). Is the class of posts listed suitable? If not, in what direction would you suggest any changes, and why?—I have no objections to the class of posts listed, only that they should be filled by men who have had as long a training in England as possible.

38931 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—I am of opinion that under ordinary circumstances a period of probation is not necessary.

38932 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I am decidedly of opinion that the knowledge of the Indian languages possessed by members of the Indian Civil Service has deteriorated. It appears to me that this is largely owing to the increase of office work thrown on the men early in their service, and to the fact that English is spoken, more or less correctly, by most of the office and court *amla*, and there are always interpreters at hand. As to a remedy:—The examiners should show no leniency. Some members have only a very elementary knowledge of the language, and as they can by the aid of their *amla* get through their work somehow, they pursue language study no further.

Written answers relating to the Provincial Civil Service.

38933 (53). Do you consider that recruitment for a Provincial Civil Service should ordi-

narily be restricted to residents of the Province to which it belongs?—Yes.

38934. (65). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—My contention is that the common people are not yet prepared for an increase of Natives of India in these services. The men who find their way into the service have as a rule no sympathy with the peasantry of the country. They are high caste men who consider the lower orders as created to serve them, and the lower orders think that men of their class, as in the past, so in the present, consider them as material for exploitation. What is wanted is that men in the higher posts should regard the lower orders as having equal rights with themselves, and that the lower orders should be educated so that they may know sufficient of the results of English training to trust these men.

THE REV. A. CAMPBELL called and examined (*in camera*).

38935. (*Chairman.*) You are a missionary of the Scottish Church to the Sonthals, and a member of the Legislative Council, are you not?—Yes.

38936. My colleagues and I have asked you to come and answer the questions which the Commission have to put to you in private, on account of certain statements you have made in your replies to the printed questions. They are matters concerned with the inter-relations between races and communities and castes; and we have realised that we can serve no useful purpose by giving publicity to any opinions expressed adversely or otherwise upon them. For this reason we have decided to take your evidence *in camera?*—But, I trust you do not consider these things unimportant?

38937. No; I do not say that. All I say is that it is very important that nothing should be said or reported which would be likely to accentuate racial distinction and feeling throughout the country?—Yes, I quite understand that.

38938. We have previously found ourselves obliged to take the same course. Will you tell us, Dr. Campbell, what position you now fill?—I am a missionary.

38939. You are carrying on your missionary work in the Sonthal country?—Yes, in the District of Manbhum, Chota Nagpur.

38940. How many years have you been engaged upon this work?—Forty-one years.

38941. Has that long period been devoted to this particular area, or have you been elsewhere?—No. I was seven years in Hazaribagh and I have been thirty-four years where I am at present. It is in the same part of the country.

38942. Have you been brought into close contact with the peasantry?—Yes, very close contact.

38943. And also with the educated Indian classes?—Yes.

38944. In your written answers to questions (6) and (65), you lay stress upon the fact that Indian officers are apt to be out of sympathy with the common people of the country?—Yes.

38945. Would you elaborate that a little for us?—Well, the high castes, as you know, regard the inferior castes as untouchables. They will not come into contact with them. They consider them unclean; and if a high caste man touches one of the inferior castes he considers himself defiled. There is an immense gulf between the higher castes and the inferior castes, which, as far as I know, has never yet been bridged.

38946. Would you be prepared to say, from your own personal experience, that this caste feeling is introduced into the daily conduct and relationship of Indian officers of the Civil Service towards the villagers?—If you take the environment in which these high caste men are brought up, so far as I have been able to make out, they never get over it.

38947. Will you answer the point I have put to you? Have you known of your own experience Indian officers in the Service who have maintained their caste prejudices to the extent you describe, and, therefore, to the detriment of their duty as public officers?—I do not say they do that; but I say the men live two lives. There is the public life and the home life; and the public know them both. They know which is the real life that the man lives.

38948. The point I want to get from you is whether the duties which devolve upon Indian officers in the Public Service are in any way shirked or neglected by those officers on account of caste prejudice?—I say they have not the same sympathy with the lower castes as, for instance, Englishmen have.

38949. Can you answer the question I have put to you, namely, whether the actual work entrusted to officers is being neglected?—I do not say that it is; but it is not so efficiently done as it otherwise would be. There is a want of sympathy; and in a District Officer, I consider that a very important thing. These high caste men are out of sympathy with the lower caste people; and, so far as they are out of sympathy, it affects the work which they do for the public.

38950. You say you are opposed to the recruitment of Natives of India in India to the Service?—Yes.

38951. I take it your chief objection to that recruitment is that it is not followed by a period of probation in England?—That is so.

38952. Would you have any objection to the extended employment of Indians if arrangements could be made to give those Indians a thorough

education and training in England prior to their entry into the service?—No. If the education were begun soon enough to make it thoroughly effective.

38953. What do you mean by "soon enough" ?—The results of environment in which high caste children are brought up are fixed by the time they reach the age of twelve or so, and after that a training in England will not effect much, so far as I can make out.

38954. Would you like to see something in the form of scholarships at the age of 13 or 14 ?—Yes. I have never thought out the subject as to how it was to be brought about; but my great contention is that the longer the period of training in England the better; and the sooner it is begun the more perfect it will be.

38955. Do you feel that this problem which we are enquiring into is not merely one of administrative efficiency, but that it has also an important political aspect which concerns India to-day?—I realise that.

38956. And therefore you would realise the importance of carefully considering the question of better facilities for admitting Indians to the Service?—Certainly. I have no opposition to Indians being in the Service. I think it would be a good thing if we had the proper men. I have no objection to Indians being recruited, and, possibly, in larger numbers than they are at present. But until some new arrangement is made I think the present number should be retained.

38957. By that, am I to gather that you are not satisfied with the class of Indians now in the Service?—I have no objection to the class of Indians.

38958. Have you any objections to the class of Indians who are now in the service and who have gone to England and passed through the open competitive examination?—As far as the training in England has been successful, I have no objection to them; but my contention is that the Home training at present is begun too late to eradicate the results of the environment in which they were brought up.

38959. As regards the Provincial Civil Service, I suppose you are constantly brought into contact with officers in that Service?—Yes.

38960. Have you found that in that service there are officers doing satisfactory work?—They do satisfactory work.

38961. I gather from your answer to question (10) that you would like to see all officers, even in the ranks of the Provincial Service, undergo this training in England?—Yes; for all who hold the higher appointments under the Government of India I think that is necessary.

38962. You do not think anyone should be appointed even to a listed post in the Provincial Civil Service until he has undergone training in England?—That is so.

38963. There might be practical difficulties, might there not?—Yes; probably there are administrative difficulties. I have not gone into these matters.

38964. Am I to take it that you consider the officers who occupy these positions to be in need of the influence of British environment?—My contention is that they are wanting in sympathy with the lower classes, and the lower classes know that. They soon come to know it.

38965. You think a course in England would rectify that?—Yes, I think it would, to some extent; and if it were long enough I have no doubt but that it would eradicate it altogether.

38966. You complain of the deterioration in the knowledge of the language among members of the Indian Civil Service. You attribute this to the increase which has occurred in the office work. Do you consider that officers to-day are overburdened with work?—I think they are.

38967. Does that imply that in your judgment, there are not enough officers in the Service?—To relieve the men at present in the Service of a great amount of work which they have to do, some more men would be required to be recruited. The men have too much work. They have their reports to write, and they have their Kutcheri work to do, and they have to visit the outlying districts where all sorts of disputes are always arising. I consider that a very important part of a Magistrate's work. If he has got too much office work to do he cannot do that satisfactorily; and it is in instances like that a man shows his sympathy. A sympathetic Magistrate is a great asset to the British Administration in this country.

38968. From your own observation, are you satisfied that the younger members of the European branch of the Civil Service are sympathetic in their dealings with the people?—I believe they are. In my long experience I have not met one whom I consider unsympathetic. If I might be permitted to make a remark with regard to the language, I should like to say that I feel too little is done to encourage officers to get a competent knowledge of the vernaculars. So far as I make out their examinations are held in languages which the ordinary villager does not know. When these ordinary villagers come up to the Court they are at a very great disadvantage. The Magistrate does not know their language and the Pleaders also do not know it; and they are obliged to plead and give their evidence in a language with which they are very imperfectly acquainted. These Pleaders trap them, and make them say things they do not intend to say. In fact, they make them tell untruths simply because they do not know the language.

38969. You are speaking for a particularly primitive district, are you not?—Not exactly. You will find in Bihar that every district has its dialect, and these dialects are very different from each other. You have what they call, down in my part of the country, Hindi, and then the other languages are called Ganwari, the languages spoken in the villages.

38970. It is comparatively easy, I suppose, to furnish training for the more literary languages, but there would be great practical difficulties in the case of the primitive vernaculars ?—The only drawback to their becoming acquainted with these languages is that they are removed so often. They can run the work of the Courts very largely in English by translations. I should like to see some arrangements by which supplementary examinations could be held. A man passes once and he has done with it. I think there should be an examination after a year or two years, after passing the first examination, and these supplementary examinations ought to deal with the dialects of the villages.

38971. And more attention paid to colloquial usage ?—Yes. I think that is very necessary.

38972. (*Sir Theodore Morison.*) The tracts in which you live are mostly inhabited by primitive and aboriginal people ?—The bulk I suppose are aboriginal ; but there are a very large number of people that we call semi-Hinduised aboriginals.

38973. And these aborigines are looked upon as of low caste by the Hindus ?—Yes.

38974. Have you found that the Hindu immigrants into this tract exploit the people ?—Yes, they certainly do.

38975. In what sort of way, acquiring their land ?—They steal their lands. They pile up debt, which I believe has never been incurred ; and in many other ways they are exploited.

38976. You have formed your opinion from this class of people. Is it not rather as if we were to form our opinions of Christians from the traders who sell gin to the African savages ?—I do not think so. I should certainly say that the men who sell gin to the aborigines of Africa were doing a very grave wrong.

38977. You condemn the piling up of fictitious debt and stealing land from primitive people : that is also morally indefensible, is it not ?—Yes.

38978. It stands on the same sort of footing as selling gin and gun-running ?—Yes.

38979. What I was going to put before you is that your experience in these tracts has been not altogether representative of all phases of Hindu society ?—I suppose not.

38980. And some of the least amiable classes. For instance, you are aware, are you not, of the movement in Hindu society against caste to raise the depressed classes. Have there not been those social reform movements ? Have they not been run by people who have not been to England ?—My opinion is that that social reform exists largely in the proposal to do so.

38981. You mean to say that it has not had any practical effect ?—That is so.

38982. Is this social reform movement in the hands of persons who have been to England ?—The social reform movement has not reached my part of the country.

38983. Your reference to home training and the environment of Indians refers particularly to caste prejudice, does it not ?—Yes.

38984. Are your remarks equally applicable to those communities in India which have no caste ?—I think there is very little difference. As far as I can make out, the Brahmans keep as far away from the inferior castes as they can.

38985. Take Mussalmans who have no caste feelings ?—I am coming to the Mussalmans. I believe Mussalmans in this country are ahead of their creed. I believe a Mussalman makes a better district officer than a high caste Hindu.

38986. (*Mr. Abdur Rahim.*) I should like to know about overwork. You say that District Officers are overworked, sending in reports and so on. As regards the writing of reports, do you not know that they are generally drafted by Deputy Collectors ?—I can hardly tell whether they are or not.

38987. That is my information. You are not in a position to say ?—My information I get from the District Officers themselves. Who drafts the letters I cannot say.

38988. I am talking of reports ?—District Officers complain to me that they have too much work of that kind to do. I do not know the inside of the office routine.

38989. You are not quite familiar with the nature of the work ?—No ; but I take the word of the officer.

38990. To what extent are District Officers assisted in these matters by their Deputies ? Perhaps you do not know ?—With regard to the reports I cannot say ; but in their work, of course, they are assisted. I do not know with regard to the writing of the reports ; but I always understood that the Magistrate was responsible for the reports.

38991. As regards case work, the District Magistrate does not try many cases, does he ?—No ; I think he hears appeals, and also tries a certain class of cases.

38992. Very few, as a matter of fact ?—It depends a great deal upon the man.

38993. You do not mean to suggest that in all districts in Bihar the District Officers are overworked ?—I believe they are.

38994. Not in all the districts ?—Yes.

38995. We had the evidence the other day of one Collector who said that his district was a light district ?—" Light " is comparative you know. What one man would think was hard work another man might think was light work.

38996. As regards the knowledge of the vernaculars, do you find that Civilian officers, as a rule, are able to converse with the poorer class of Indians in their own languages ?—I have not met a European officer since the Commission in Chota Nagpur was done away with, who could do it. In the old days we had a separate Service for the non-Regulation Provinces. In those days the men knew the languages. They were not overworked.

38997. That was how long ago ?—It must be twenty or twenty-five years ago since the last man left India who was in the Commission.

38998. Since then you find the Civilian officers are not able to converse with the ryots ?—That is the opinion I have formed from a very considerable experience of District officers.

38999. Is that also your experience in Bihar proper ?—It is all over.

39000. To that extent they would be rather at a disadvantage in understanding and speaking to the people ?—They are. The people when they come to Court are put to a great disadvantage.

39001. Quite so. As regards Pleaders instructing men to tell untruths.... ? I did not say "instructing;" I said "trapping." They put questions.

39002. You mean cross-examination ?—Yes, cross-examination.

39003. The object is to find out whether a man is telling the truth ?—To make him tell something which would be against himself or the man for whom he is giving evidence. I do not consider it is done to get at the truth.

39004. You referred to disputes arising in the district. To what disputes were you referring ?—Disputes amongst the villagers; disputes over land, matrimonial disputes, and a hundred other different kinds of disputes. If the officer has time he goes out to the villages and enquires into these matters locally.

39005. Are they able to arrange these disputes before they come to Court ?—Yes. Very often they come to Court first, and the Magistrate goes out and arranges the dispute locally.

39006. After they come to the Court they come to a compromise ?—Yes.

39007. (*Mr. Madge.*) You attach a great deal of importance to sending Indians for education and character-training to England ?—Yes, I do.

39008. India is in a state of transition, and until the gulf is bridged between East and West, so to speak, is there no risk of a man sent to a foreign country being alienated from his own people, and from a class of wholesome home influences which partly help to mould character ?—If you have good home influences, of course that is what we want. But my contention is that the environment in which the high caste people in this country are brought up is not wholesome.

39009. Naturally, we of another religion look upon other religions as different, or even inferior. I am not going into the question of right or wrong, but there is no doubt there are influences at work in India which make for general goodness. Fathers have complained to me, sometimes, and some of the witnesses have said, that a good many people who go to England have turned out bad bargains; that there is a risk of alienation from home influences where a father's and mother's affection for children often protects them from a good deal of evil that might befall them. I am not making any invidious comparison between religion or caste, or anything of that kind; but there is in the very affection of the home and surrounding influences something which makes for good, and contrasts favourably with the evil temptations and the risks of a foreign country. That has to be taken into consideration ?—I do not look at the matter from that point of view. I look at the matter from the point of view of the benefit to the public service. I do not suppose that the percentage of men of that class you speak of is very large. I consider it to be a negligible quantity.

39010. I agree with much that you say. I ask you, have you not heard of cases in which a large number of young people going to England fare badly ?—I have not heard of a large number. I know of a certain man who went home to London to pass for the Indian Civil Service, and failed, and he came out with a bag of golf clubs, and had forgotten his mother tongue.

39011. That is the class of person to whom I am referring as being so alienated from his own people ?—I do not think there are many of that class; and in a matter of such importance as the one we are considering I think that is a negligible quantity.

39012. While everybody would agree with you that the Indian who went to England and absorbed the British spirit would be a great advantage to this country, you have to take into consideration this alienation from his own people, which I am speaking of. You have to consider that ?—You consider that; but, as I have already said, that is a matter, at least, which is not often likely to take place.

39013. You have spoken of the lower classes being in want of sympathy. I suppose you have had evidence of this ?—I have evidence for that.

39014. That, of course, as far as it is true, is a great misfortune ?—I say an Englishman will raise up a low caste man who has met with an accident, but I have never come across an Indian in the Service who would do it.

39015. In answer to question (18) you say: "I do consider it necessary that certain posts should be reserved by Statute for officers recruited to the Indian Civil Service. All posts for which expert knowledge is necessary should not be reserved." To a certain extent everybody will agree with you, but there is that other class to which I, as a humble individual of the public, belong, who believe that far more necessary than expert knowledge is a certain statesmanship which is required by responsible officers which is far more useful than what you would call professional knowledge in dealing with the masses of people. Have you not heard of expert knowledge in plague regulation raising up a whole district, and a Civilian being called in with his statesmanship to set it right ?—That is a different matter. I was thinking of such posts as Director of Agriculture, which, in my opinion, requires an expert.

39016. In your desire to exclude all Indians recruited here you overlook the fact that a good many experienced and responsible officers have said of the Provincial Services that they have been tried and not found wanting: on the contrary, they have been found to be good officers in the

Provincial Civil Service ?—Well, you know, "good" is a matter of comparison. I have laid great stress on what I have already termed sympathy. Unless you have that between the governed and the governor you have not an ideal government.

39017. It is very difficult to attain that ideal ? —I admit it is difficult. I have not to deal with that. It is a matter for administrative officers.

39018. (*Mr. Chaubal.*) With reference to your answer to question (19) you say : " I am strongly of opinion that it would injuriously affect the Civil Administration to admit to the higher posts a larger proportion of Natives of India than are at present admitted." Do you know how many Indian Civil Servants there are in the whole of the country at present ?—I knew once, but I could not tell you right off.

39019. I think there are 1,294 in all. Do you know the number of the Indian Civil Servants out of that 1,294 ?—My reply to the question does not come down to the rank and file of the Indian officials. My reply is as to the Indian Civil Service and listed-posts.

39020. My question is only confined to the Indian Civil Service. There are in all 1,294 Indian Civil Servants in India. Out of those 1,294 do you know how many there are at present who have passed through the open competitive examination in England, and are Indian members of the Indian Civil Service ?—No. I regret I cannot say.

39021. Am I to understand, that you make this statement, that a larger proportion than are at present admitted would be bad, without knowing the present number actually employed in the Service ?—Well, I have an idea of what the number is. My reply, however, is not affected by the number. My own idea is that until you get the proper men I would not increase the number.

39022. That is not the question. The question is, you do not want to see a larger number than are at present admitted. I want to know whether that statement is made after taking into consideration the present number which is actually employed ?—I believe that there is a certain percentage of Indian Civil Servants in the Service.

39023. What is your belief about the percentage at present ?—I cannot tell you what it is. It is one-sixth, or something of the sort.

39024. Is it one-sixth ? Have you taken care to see whether it is one-sixth ?—I did not take care because my reply has no connection with the number of men in the Service.

39025. I do not want to labour the question further, but I wanted to know before you made that statement whether you knew what the whole number was, and what the Indian proportion was ? —I know as a general thing, but I cannot tell you exactly how it is. But I must put myself right with you. I do not object to the numbers being increased for the future so long as you can get men of the stamp which I think is required.

39026. With reference to your other answers do you make any distinction between the lower classes and the untouchables ?—Yes.

39027. You make a distinction between what are called the lower classes in the autonomy of the Hindu class and the untouchables ?—Yes.

39028. Is the want of sympathy which you are alluding to in the higher castes the same towards the lower classes and the untouchables ? —I would expect the same.

39029. I do not want expectations. What do you know about it ? Do you make any distinction between the want of sympathy which the higher castes show towards what are considered the lower classes, and towards what are considered the untouchables ; or is it the same ?—I regret I do not catch the meaning of your question.

39030. If you make a distinction between those who are considered as untouchables according to the Hindu Faith, and those who have caste, are of what is considered a lower caste, if you admit the difference between the two, then I want to know whether the want of sympathy according to you which you find, is in a larger degree towards the untouchables and in a smaller degree towards the lower classes ?—That is a fact. I believe that to be true.

39031. Have you ever tried to look at the thing from the other point of view ? Take the untouchables who form a class of the Hindus—I am not referring to the non-Hindu classes, but take the Hindus who are considered untouchables ; what is the feeling of these untouchable classes ? Do they consider themselves untouchable, or touchable ?—They consider themselves untouchable.

39032. Have you ever had any occasion to see the sort of resistance which they offer to being lifted up ?—I have never found them resist.

39033. Take, for instance, where the untouchables at present are not allowed to pollute the water by taking out water from a well. We had in Bombay the other day an exhibition where a man from the untouchable class was actually shivering because he thought it was a great sin to draw out water from the well. All the Brahmans had assembled, and they asked the question ; but he thought he was running directly in the face of God ?—I can hardly take that in ; because what I find is that the lower classes in this country have no idea of committing a sin or an offence against God.

39034. You think that the untouchable classes of the Hindus have no idea of sin ?—No.

39035. With regard to this want of sympathy, supposing there was an accident from which one of the untouchables or lower classes had suffered, you say that even an Indian officer of the highest caste will not go out of his way to help him. Can you give me any other instances of want of sympathy ?—I was once in the company of a Mr. Mukerji, who was at that time Sub-Divisional Officer of the district I was in. There was a low-caste man, a Bauri, who had done some work for him, and was to receive payment.

Instead of putting the money into the man's hand, as I would have done, he threw it on the ground, as you would throw a bone to a dog. This poor Bauri had to stoop down and pick up the money he had honestly earned.

39036. That is want of sympathy?—That is want of sympathy. That is the gulf which I find is standing in the way of effective administration in this country.

39037. Would you kindly tell me if it is only in instances of this kind that European officers show their sympathy towards the untouchables?—You know that the way a man speaks to and deals with men is an index to the sympathy which he has with them. For instance, I find down our way that both Bengali and Hindi-speaking people address a low caste man in this way: The Bengali says: "Ori" and the Hindi-speaking person says "Uri." That is a form of address which we in England might call "slave." That is very common. It always takes place.

39038. That is want of sympathy?—That is want of sympathy. It is considered that these men are so much lower than themselves.

39039. With all your vast knowledge of India you have never come across instances of Europeans chucking coins to Natives?—I have never seen it: I must confess that.

39040. (*Sir Murray Hammick.*) Are you in the Sonthal Parganas?—I am in Manbhum.

39041. Can you tell me how many dialects there are in the Manbhum district?—I know eight of them.

39042. Are those Provincial dialects, or Bengali dialects?—There is one Bengali, and one Hindi. We sometimes come across Urdu, and we have the Hindi Ganwari, and we have the Sonthali and the Karmali, and Mahle, and Koda.

39043. Some Dravidian, and some Aryan?—The first four are Aryan languages, and the second four are not exactly Dravidian, but Kolarian.

39044. And besides that the Sonthals speak another language in the Sonthal Hills?—Those are Paharis. They are not Sonthals. They speak a different dialect. I do not come into close contact with them.

39045. Speaking for yourself, you have been there for many years, and you talk these languages as perfectly as any European ever will, I suppose: do you remember how long it took you, living in the district, to become really on equal terms with the Natives of this district as regards the language?—It was not under ten years.

39046. I ask that because at one time I lived with a missionary in my country in the south, and he used to reproach me for my want of knowledge of the language. He had been in the district for five years, but even after five years he confessed that he could not talk absolutely fluently to the men he met. I want to ask you how you are going to solve this problem? If it took you ten years to master the language, having close, daily intercourse with the villagers, how can you possibly expect the European Civilian with a reasonable amount of office work to do to acquire the close knowledge of the vernacular you wish him to do?—We have now prepared grammars and dictionaries for these languages, and he has nothing to do but sit down and study them, and exercise himself in the language when he goes out to the villages.

39047. He can do it a great deal better than he does it now, I quite admit. Have you in the Manbhum District come across Indian Deputy Collectors working amongst the people?—Yes.

39048. Do you find that they talk these dialects with the people: do I understand you to say no?—No. It depends where they come from. Very few of the sub-divisional officers speak the Kolarain languages. The Government gives a bonus of Rs. 1,000 to men who pass, but I think, in some way, they limit the number they allow to appear for the examinations.

39049. How long has the present sub-divisional officer been there?—Only about three months.

39050. I suppose he cannot talk the language at all?—He has been in the district of Muzaffarpur, where Hindi and Ganwari are used. He came down to our place where it is Bengali.

39051. So that he really cannot talk the language?—No.

39052. In the last few years that you have been there, have you found that movements have been more frequent or less frequent than they used to be?—They have not been quite so frequent since the Decentralisation Commission was in India. Since then I think it has been the purpose of the Government to keep the Magistrates longer in one place.

39053. You would place great importance on Indian Magistrates being as long as possible in one division?—Yes.

39054. (*Mr. Maude.*) You have spoken of bias in favour of high caste on the part of Indian officers; and, as far as I understand, you have mentioned that bias in dealing with immigrants into your part of the country; that is to say, when there is a case of what you call dikku, which is a term used in Chota Nagpur, it is a case between the aboriginal and the *dikku*. You have referred to the bias by the Indian officer?—I did not use the word "bias." It is not like bias.

39055. It is unconscious, perhaps?—I do not think that, either. I lay nothing to the charge of the Magistrate on the Bench, other than that he is not able to understand the man who comes before him and gives his evidence. That is as far as I go with regard to Magistrates.

39056. In the matter of caste, you have spoken of a want of sympathy we will call it, rather than bias. Have you known (I do not wish you to mention any names) of any individual officers who have exhibited such a want of sympathy: or are you speaking quite generally?—I have, but my reply to this question is, not that

they do not do so, but that they do not do it to the extent which they ought to do.

39057. You have laid great stress upon the necessity of training in England for all officers who join the Indian Civil Service. Could you tell us what the object and result of that training is, that is to say, what qualities a man gets from being trained at an early age, for a considerable period, in England which he could not get if he was trained out here, and which would fit him more for the Indian Civil Service?—I have come across Indian Civil Servants who have been very good officers, and the training which they get in England had its results. But my contention is this, that that training does not bridge the gulf sufficiently between the Indian Civil Service man and the inferior castes.

39058. What I am trying to get at is the nature of the qualities the lack of which disenables them from bridging the gulf?—It is not a lack of the quality. I think it is the presence of a prejudice.

39059. You put it positively instead of negatively. You were speaking of the knowledge of the languages, and you say your experience nowadays is that the officers cannot speak on ordinary subjects to the people of the lower classes in the villages. Would you extend that from your own knowledge to all parts of this province, Bihar and Orissa, or are you speaking more particularly of the parts of the province in which you yourself have had immediate experience?—I know a little of all the provinces, and I know the men who have come down our way and I know what they can do.

39060. Would you go, for instance, so far as to say that the ordinary officer in Tirhut is unable to converse with the villagers on ordinary matters?—Yes; in the villagers' language I would say yes.

39061. To make himself understood by the villagers, and to understand the villagers?—A very little knowledge of the language goes a long way at times; but I do not suppose there are more than a very few officers in the Service who can speak the language of the villagers.

39062. You think that, for his Service and his work among the lower population and the villagers, the ordinary officer is unable to use the language sufficiently to carry out the object of his work?—I say so, yes.

39063. I suppose you have had a good deal of experience of the work in Courts, and of the people coming into the Courts for cases?—I may state that I have been a Magistrate for twenty-five years, and I have had first class powers for eight or ten years.

39064. I want to get at your opinion. Who would your Sonthali people rather be tried by if a case was coming into Court? If there were two officers to go before, one an Indian and the other a European, which would they elect to go before? Or, would they not elect at all?—They do not, generally, have a choice. But I can tell you this, that they come and sit for a week at my house begging me to take up their cases. I have had to refuse because I had far too many. My position is this. The aborigines think they know the Indian Officers, and they do not trust them. They cannot understand the Englishman, but they trust him right out in any matter.

39065. You have a good deal of personal acquaintance and knowledge of legal practitioners?—I have.

39066. Are they not allowed to come in your part?—Sometimes they come.

39067. Have you ever heard them express any preference as to the kind of officer they would prefer to appear before?—No, I cannot say that I have.

39068. With regard to your answer to question (19) you say: "I am strongly of opinion that it would injuriously affect the Civil Administration to admit to the higher posts a larger proportion of Natives of India than are at present admitted." That refers entirely to the higher posts?—Yes.

39069. It does not refer to the whole rank and file of the Indian Civil Service?—No.

39070. (*Mr. Datta.*) You have laid great stress upon training in England. You even go so far as to say that persons holding listed posts should have training in England. Have you any experience as to the work done by a Munsif or a Sub-Judge—Civil work?—Yes, I have. I may say that I do not object to Indians doing Civil work. I think that is their province. I do not find any fault with the work of Munsifs and Sub-Judges.

39071. You do not lay stress upon their training in England to do Civil work?—Not so much.

39072. You have laid great stress upon sympathy. I think you are quite right. Unless there is sympathy between the Judge or Magistrate and the litigant, proper justice cannot be done. You are quite right. At the same time, do you not think that the gulf is being bridged nowadays? For instance, did you not hear of that case in the Calcutta Medical College where a Professor wanted new blood for a Muhammadan patient, and a Hindu student held out his hand and cut his vein, and poured new blood into the Muhammadan's body?—Yes, I should say that man was humane; I expect that from Hindus as I would from others.

39073. Does not that show sympathy?—It shows sympathy of a certain kind.

39074. (*Mr. Hussain.*) You say that men should not be appointed to listed posts unless they have undergone training in England. May I ask you whether you have had actual experience of an officer in a listed post working in the division where you live?—I believe I have. It is difficult for an outsider like me to know who are in the listed posts and who are not.

39075. You have had no experience of an officer drawn from the Provincial Civil Service

acting as a District Magistrate in the District where you have been?—Not as a District Magistrate, I believe.

39076. Then you cannot say, when a Deputy Collector is selected by Government to the post of District Magistrate, that he has shown any want either of sympathy or tact? You have no experience of that?—I do not know that I have ever met an Indian District Magistrate. Certainly, there has been none in Manbhum. As far as I can think of at present, in the districts around there with which I am acquainted, I do not suppose there has been one. But it is found that a European manages these nondescript people much better.

39077. How can you draw a comparison? You say "much better"; but you have had no occasion to compare?—It is like this. You take that one rupee, and you melt it down: you find there is so much alloy in it, and so much silver. You take up another rupee, and you say there is so much alloy and so much silver in this. That is a form of argument on which we can go legitimately; and I used that argument with regard to the services of the men about whom we are speaking.

39078. But when Government makes the selection, will you not trust that it is an unalloyed selection?—Not, if it is the same as the other rupee, if the rupees are all alike.

39079. Surely officers can make their selection, and they know what is alloy, and what is not?—They have got to make their selection from the men on the spot. That is where I see the difficulty. One man is like another. They select the best they can get.

39080. They select the man with exceptional qualities?—Yes; but they are restricted by the material they have.

(The witness withdrew.)

MADHU SUDAN DAS, ESQ., C.I.E., M.A., B.L.

Written answers relating to the Indian Civil Service.

39081. (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I am unable to answer this question in its present form. Competitive examination is a safe principle.

39082. (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—The combination is not to the advantage of Indian interests. An examination on subjects selected with a view to the peculiar needs of the Indian administration would give better results.

39083. (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—In the present unequal dissemination of Western literature and ideas and the unequal appreciation and adoption thereof in the different provinces, a simultaneous examination would lose the character of open competition and is not desirable in the interest of India generally.

39084. (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I do not view such a proposal with favour.

39085. (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—That would depend upon the time required for the necessary intellectual equipment indicated in previous answers.

39086. (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—Too much importance cannot be attached to a thorough grasp and appreciation of fundamental principles of law. This will materially alter the character of the administration and ensure its popularity and public confidence.

39087. (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—No.

39088. (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons?—Yes. Posts which require capacity for organisation and administration of departments. This would practically mean the heads of departments and the work usually done by some of the Secretaries to Government.

39089. (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the civil administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—Yes. Whatever proportion results from my answer to the immediately preceding question.

39090. (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—Yes. The system should be retained, but its working should be regulated so as to make it satisfactory.

39091. (22). If the system of recruiting military officers in India for posts in the

Indian Civil Service cadre has been stopped or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted ?—It is desirable in some cases to have military officers in some political appointments now held by Civil Servants.

39092 (23). Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers from other Indian services ?—Restricted to military officers.

39093 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed ?—It is desirable to retain it.

39094 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or statutory civilians, may be appointed to one quarter of the listed posts ?—The proportion ought to be larger.

39095 (26). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service ?—It has been a source of some dissatisfaction.

39096 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the service ?—Yes.

39097 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers ?—Two years. A study of vernacular literature selected with a view to give an insight into the character of the people of the province, their habits and their wants.

39098 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty ? If so, please state the special arrangements that you recommend ?—There should be a difference. Natives of India should spend this period in England and Englishmen should spend it in India.

39099 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian services recruited in England ?—Very desirable.

39100 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre ?—Yes; please refer to my answer to question (30).

39101 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India ? If not, what change should, in your opinion, be introduced ?—No. I do not know if there is any systematic training worth the name.

39102 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service ? If so, what are the causes ? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied ?—There has been a deterioration. This is partly due to the fact that the ministerial and clerical staff know English and knowledge of the vernacular is not now necessary. Another cause is that the official is not, as a matter of fact, accessible to the masses and does not value direct information from them.

39103 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the judicial branch ?—Important branches of law should be prescribed for the examination for the open competitive examination. Those who are selected for the judicial branch should receive a training partly in the High Court and partly by working as judicial officers, Munsifs for instance.

39104 (38). Do you recommend any special course of study in law in India for officers selected for the judicial branch ?—They should be required to pass an examination similar to the B.L. degree of Calcutta University. This should be done by examiners appointed by the High Court.

39105 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions ? Should such abolition apply to officers already employed or be restricted to future entrants ?—Should be abolished, but only as regards future entrants.

39106 (47). Turning now to the case of the statutory civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service ? If not, what rates do you suggest for the various grades of the service ?—This arrangement of two-thirds pay should be abolished.

Written answers relating to the Provincial Civil Service.

39107 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your province suitable, or have you any recommendations to make for their alteration ?—At present the preliminary standard of general education is the B.A. degree. This should be raised to B.L. There should be a competitive examination among the persons nominated. Half the number of appointments should be given by the result of the examination and the other half should be recruited by selection from among the candidates who succeeded in keeping a certain percentage of marks in the

subjects in which they are examined. The number nominated should be at least double the number of posts to be filled up.

39108 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—Yes. Rule V of Appendix A is reasonable, except that part of it which makes three years' residence a ground of eligibility.

39109 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—I cannot answer this question, the reason being that the words "classes" and "communities" are vague.

39110 (55). Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend?—I do not know if there are any definite arrangements for the training of Deputy Collectors. They should receive some training for the judicial work they are required to do.

39111 (56). Do you consider that the numbers of officers authorised for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—No, not satisfactory. There ought to be a larger number of posts in the higher grades.

39112 (57). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?—In Orissa, members of the executive branch of the service have to do judicial work which in Bengal is done by the Civil Court. The same officer does executive and exercises judicial power in criminal work. It is necessary to have separation of judicial and executive functions at least so far as this can be done in the selection of officers and the distribution of work. In certain cases Munsifs may be entrusted with the judicial duties under the control of the Collector and District Magistrate.

39113 (58). Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?—There is objection to this terminology in some quarters. It is a matter of sentiment which should have its weight with those responsible for the administration. I cannot suggest any other name. If an alteration has to be made, the feelings of the Service should be consulted.

39114 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—The principle is not sound. The expression "desired qualifications" practically refers to the educational attainments at the time of appointment, but the efficiency of a Service depends on the motives for sustained interest in the duties.

39115 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—Uniform grading in the two services (judicial and executive) is desirable.

39116 (63). Are you satisfied with the present system of superannuation pension for officers of the Provincial Civil Service? If not, please say what modifications you would suggest, and on what grounds?—The maximum ought to be raised.

MR. M. S. DAS called and examined.

39117. (*Chairman.*) You are a member of the Provincial Legislative Council?—Yes; and I am a member of the Imperial Council as well.

39118. You represent and are acquainted with the interests of Orissa?—That is not for me to say; but that is my position.

39119. Will you tell us in what main features Orissa differs from Bihar?—It differs very materially in many respects. First of all there is the Government's connection with the land. Orissa is mostly a temporarily settled tract. Bihar is permanently settled, and the language is different. The traditions are different, and the education-level, if I may use the expression, is different, Orissa being behind. Of course, both the sub-provinces, Bihar and Orissa, were associated with Bengal; and both have suffered on account of the neglect under the Bengal Government, but Orissa has suffered more.

39120. In answer to question (6) you say: "In the present unequal dissemination of Western literature and ideas and the unequal appreciation and adoption thereof in the different provinces, a simultaneous examination would lose 'the character of open competition'"?—Yes.

39121. And therefore it is not desirable in the interest of India generally?—That is it.

39122. Do you mean by this that certain classes and communities would monopolise the appointments?—That is one of the reasons. It is very difficult to say what the effect of that would be and how it would affect popular opinion regarding the administration itself. India is not, up to this day, one country in the sense that it is inhabited by one homogeneous nation. Of course there may be evident marks of public minds aspiring in that direction, but it is not an accomplished fact. As long as race feeling remains, if these higher appointments go to individuals of a particular race, it is more than probable it would be understood that it was the result of a system which, whether intended to effect it or not, had, in fact, produced, unequal advantage to a certain class.

39123. Therefore you do not agree with some witnesses who have come before us, that an

Indian who passes the examination in England can efficiently take up administration in any part of India ?—Of course, my inference is based upon instances which come within my knowledge. I should not like to attach greater importance to my opinion than it ought to deserve.

39124. You would have a minimum number of Europeans in the higher posts of the administration ?—Yes, certainly.

39125. Would you be prepared to say what the proportion of Indians appointed should be ?—No, I could not say that ; because that means working out the details of the Administration.

39126. Would you like to see an increase in the present number ?—Yes.

39127. You ask for the abolition of the arrangement by which officers of the Provincial Civil Service holding listed posts receive two-thirds of the pay drawn by the Indian Civil Servants ?—Yes.

39128. Do you mean by that they should receive equal pay with officers in the Indian Civil Service ?—If they are fit for those appointments they ought to get equal pay.

39129. Would you go further and say that the listed posts should be abolished, and that those officers should be promoted direct into the Indian Civil Service ?—Incorporated into the Indian Civil Service as part of it : well, I would not say that. I would give my reasons. I consider listed appointments as an arrangement in the present state of the country. In future there will come a time when there would be a larger number of members in the Indian Civil Service itself. That is the view I take ; and, consequently, then it might be necessary to abolish the thing itself altogether.

39130. But you are not prepared to agree with certain witnesses who have advocated promotion direct from the Provincial Civil Service into the Indian Civil Service ?—No.

39131. I notice that you disapprove of the merging of the inferior listed posts with the Provincial Civil Service. You observe : "It has been a source of some dissatisfaction." What is your reason for saying that ?—My reason on a question like that, is the dissatisfaction. Those people who suffer by it say: "They are not thrown open to us." They say : "There is a Deputy Magistrate who ought to have got Rs. 600," and instead of transferring him into the other cadre, they say : "Here is a post which virtually goes to you." That is an arrangement which is really a sort of blind, and it causes dissatisfaction. They ought to be openly told : "We will not give you these things." That is my view.

39132. The merging of these inferior listed posts with the Provincial Civil Service has meant an increase in certain grades of the Service ?—If it is meant to be an increase there ought to be an evident increase, so that the people to whom the increase has been given would understand that it was an increase to them. If those people do not consider it an increase, and are not satisfied, it is not giving them an increase at all.

39133. We have had evidence in most of the provinces that those merged posts have become part and parcel of the Provincial Civil Service, and that the Service is perfectly contented with them ? —That may be. When I say that that is the cause of dissatisfaction, I do not undertake to say that I have consulted every member with regard to it.

39134. You are not prepared to say that there is ground for very great dissatisfaction ?—Those words, I am not prepared to accept. There is ground for dissatisfaction.

39135. You would recruit for the Provincial Civil Service to the extent of one half of its appointments by means of competitive examination open to previously nominated candidates. How would you nominate those candidates ? —The nomination ought to be in the division or district. Official and disinterested well-known non-official men ought to be a help in making the nomination.

39136. The other half of the Provincial Civil Service would be filled, under your scheme, by selection from among the candidates who succeeded in obtaining a certain percentage of the marks ?—Yes.

39137. What object have you for making this suggestion ? Do you wish to make provision for representation of communities ?—Yes. Communal or class representation is intended to be secured by nomination. It sometimes creates a heart-burning as the person taken in, perhaps, is not the ablest or the most intellectual man amongst the people who are available in that class. To remove that ground I would suggest begin with the class basis, and then further eliminate and leave the appointment to the ablest in the class.

39138. That exhausts your recruitment of the Provincial Civil Service ?—Yes.

39139. Do you intend to exclude all Sub-Deputy Collectors from promotion to this Service ?—I myself do not consider that there should be that distinction between Sub-Deputy Collectors and Deputy Collectors. If a separate method is introduced for the recruitment of these two services, placing each on a different basis, that would be intelligible ; but as it is, they belong to the same class, and have the same intellectual and educational equipment, and it is only by chance that one person gets to be a Sub-Deputy Collector and another person gets to be Deputy Collector. I know a case in which the most intelligent was taken in as Sub-Deputy, and the other, who was recommended as the most hardworking, was taken in as a Deputy.

39140. I take it that in fact your proposal for recruitment is subject to the Sub-Deputy Collector being incorporated into the Provincial Civil Service ?—Yes.

39141. Were he not incorporated into the Provincial Civil Service, I suppose you would allow promotion from that class as now ?—Of course I would allow promotion.

39142. What classes of Judicial work which in Bengal, are done by the Civil Courts, have to be performed in Orissa by the Executive branch of the Provincial Civil Service ?—Revenue cases, Land Revenue, all cases about zamindars, landlords and tenants. All those cases which are done in Bengal in the Civil Courts are done in Orissa in the Revenue Courts, and they are done by Deputy Magistrates.

39143. That is the difference between the two systems ?—Yes.

39144. Could you say what you consider to be a sufficient income to enable an average member of the Provincial Civil Service in Orissa to keep up his position ?—That is a very difficult question to answer. My opinion would be based on the necessaries of his official position.

39145. That is exactly what I am asking. Can you tell us approximately ?—It differs, when he becomes a Sub-Divisional Officer, and when he is in the town; it differs, also, as to the place he is in, house rent, and other things. It is very difficult for me to answer. I would not take the responsibility to answer for a class of people.

39146. (*Sir Murray Hammick.*) You are a Christian, are you not ?—Yes.

39147. You would like to see the number of listed appointments increased ?—Your question, as I understand it, is what I should wish; that does not necessarily put upon me any responsibility of knowing as to whether they are really persons who are fit for it, or not. Of course, I would naturally wish to have those appointments increased.

39148. Have you been in any districts where the Civil appointments have been held by listed officers ? Have you, in Orissa, listed officers holding posts as Deputy Commissioners ?—Not Deputy Commissioners, District Magistrates.

39149. And District Judges ?—Yes.

39150. And do you think that on the whole they do their work satisfactorily ?—As regards the District Judge, I can say, satisfactorily. As regards the District Magistrate, the opportunities I have of knowing would not justify me in giving an opinion, except that from the little opportunity I have had of judging I would say that my view would be favourable. I should not, however, like to give it as an opinion, except on the understanding that the opportunities I had of observation were limited.

39151. Referring to your answer to question (16), are you at the Bar ?—Yes.

39152. Practising now ?—Yes.

39153. When you say that, "Too much importance cannot be attached to a thorough grasp and appreciation of fundamental principles of law," you are referring there, I presume, not only to Judicial officers, but to Executive officers ?—To all.

39154. You would agree with one witness who came before us at one place, who said he considered that a knowledge of law was quite as important for the Revenue officer as it was for the Judicial officer ?—It is not the knowledge of law. I should qualify that statement. It is not the same amount of knowledge that a Revenue officer ought to have as a Judicial officer. There is a great difference as regards the extent of the knowledge. What I mean to say is, a respect for the law, to have law as the guide of the person. That is necessary for the Settlement officer, for the Revenue officer, and for everybody. His personal will must be subordinate to law. That is the spirit.

39155. He must have the instinct for being guided by legal principle ?—Yes.

39156. And you think that that is quite as important for the Executive officer as for the Judicial officer ?—Yes.

39157. And for that reason you would like to see the fundamental principles of law required as part of the test in the open examination in England ?—I have not gone as far as that. Where and how that can be done is for this Commission to decide. I am simply in the position of a sick person who goes and tells his symptoms: it is for the doctor to prescribe.

39158. If it could not be guaranteed at the open competitive examination you would insist upon a very strict training in law during the period of probation ?—A thorough grasp of the fundamental principles of law is too vast a subject for any person to study thoroughly.

39159. In answer to question (33), why do you desire to have a college in India for the training of probationers instead of a probationary period to be passed in England ? You say you wish the college in India to take the place of the probation in England ?—It is for this reason that I look upon this connection between England and India as a very peculiar connection, and if you will permit me to use the expression, this is the way that the West and the East have to meet, notwithstanding what many people may think. Secondly, it is not a question of the substitution of the West for the East; but it ought to be an assimilation by the West of the East and by the East of the West. Assimilation means a knowledge of mutual character between the two, and I give necessarily to the Englishman the position of the teacher. I value the British Government, simply because I believe that some day India will rise to the level of England's civilisation, and as that must be the ultimate thing in view, it is absolutely necessary that the Englishman, when he comes to this country, should be in a position to know not only the weak points of the native character, but also its strong points, as it is equally necessary for us to know his strong and weak points, and unless he is in India, he would not have in England an opportunity of knowing that.

39160. Would it not be an objection to the college of yours that there would be very few Indians in it ?—Yes; but the college must be as regards the instructive staff,—I should not call

it an instructive staff but I use the term for want of a better expression—manned by well-known Indian characters who, I mean to say, will give an actually fair specimen of the best of Indian's character.

39161. In your answer to question (36), you say "another cause is that the official is not as a matter of fact accessible to the mass and does not value direct information from them." What do you mean exactly by that? How is a civil officer not accessible to the masses? How is it that he does not value direct information from the people?—That is the state of things that I find; but why it is so I cannot say. As a matter of fact, when a district officer goes to the mufassal on his tour, he meets some respectable zamindars and other people to whom he talks, but I have known times when officials used to actually mix with the crowd and talk to them in a familiar way. I have seen a Commissioner talking to an old woman who gave a pat on his head. But that is not to be seen now. Secondly, he gets his reports through official channels; and within the last 25 years I have noticed (I do not like to take further responsibility and I do not want to go beyond that) the absence of that tendency which existed 20 years before to approach Indians with a view to mix with them.

39162. Have you had any opportunities of seeing an Assistant Collector or a Collector or any other civilian officer for instance when he was on tour in his sub-division or while he was in any of the villages?—No, I have not seen him. I heard that he was in a village within a mile or two and I heard people say that the Collector had been there and when they wanted to speak to him they could not get to him. You hear people say that they could not get to the Collector.

39163. In the way that they used to before?—No. I did not hear that. They said that they could not get to him.

39164. You practise in Cuttack?—Yes.

39165. (*Mr. Fisher.*) Why do you say in your answer to question (22) "it is desirable in some cases to have Military officers in some political appointments now held by Civil Servants"?—Simply for this reason, that the political appointments are generally appointments in which a person has to do with the ruling chiefs and people of that class.

39166. And you think that Military officers get on better?—Military officers would have better sympathy with their ambitions and traditions and all that sort of thing. They are very sensitive sometimes with regard to their family prestige, ceremonies and rituals.

39167. Have you heard any complaints that Civil Servants do not perform their political functions?—I cannot say that; I should not be justified in saying that. I have heard complaints of want of sympathy for the feelings of these people in matters which are not at all political.

39168. Why do you think that Military officers would be more sympathetic?—Simply because my own experience is that Military officers are more sympathetic.

39169. You mean the officers of the Indian Army?—Yes, because they mix with Indians and that gives them that sympathy.

39170. I notice that you say in your answer to question (16) that if Civilians were better trained in the principles of law this will materially alter the character of the administration and ensure its popularity and public confidence. Are there complaints in Orissa to the administration of justice?—Oh yes; there are.

39171. Is there a feeling abroad that law courts do not command public confidence?—It is not only the law courts. For instance, people who do not preside over law courts actually supply law courts with work. The settlement officer who goes round doing settlement work disregards law and takes away the rights from people to whom they belong and gives them to other people, and thus there is a lot of litigation.

39172. Is it your impression that the Civilians who come out under the present system of a single year's probation in England are more deficient in legal knowledge than those who came out before, when the period of probation was longer?—I cannot say. I am only speaking of old Civilians of 25 years ago and I did not take the trouble to compare their legal knowledge, so that I should not be justified in making the comparison.

39173. You have not heard it said that the legal knowledge possessed by those Civilians had deteroriated?—I have not heard it said. Such a thing could not be said, because very few people would be living now to compare the two.

39174. (*Mr. Madge.*) You consider in your answer to question (1) that competitive examination is a safe principle?—I say there "I am unable to answer this question in its present form." Only this much I can say—that competitive examination is a safe principle.

39175. What else would you have in a system of examination by perfect safety, so far as you are able to answer at all? What I mean is that any quality such as perfect safety is what is required in a competitive test?—I would ask you to read the whole of my answer. The question that was put to me was "What is your experience of the present system of recruitment by open competitive examination in England for the Indian Civil Service?" My experience tells me that the results of the present system so far as one can judge, so far as an outsider can judge, do not show that actually the men sent out here feel as if they have a mission before them to raise India. So far, the whole system is not according to my ideas. Competition itself is a safe principle, but the Englishman should feel that he does not come only to govern the country because a despot might govern as well, but to raise India so that she might be a part of the British dominions worthily.

39176. Have you found that difficulty all along in the results of the competitive test or has the difficulty arisen in recent years ?—That is more than I can say, because you ask me about "all along" the competitive test and you ask my opinion about all Civilians. I cannot say that.

39177. So far as it has come within your observation ?—I have come across men, but I have not questioned them on this point, but as far as one can judge, they have not manifested in their official life a desire to raise India, or in other words they have not exercised the powers invested in them in such a way as to lead one to believe that it was their ultimate intention that these powers should be delegated to Indians in fulness of time.

39178. What I meant to ask you was: so far as the matters that have come to your personal knowledge are concerned, has this difficulty been increasing or is it much the same ?—Increasing.

39179. As regards the competitive examination, I have to ask you this question and I assure you not with the view of cross-examining you ?—I am quite willing to be cross-examined, but I know you are not going to cross me.

39180. I have asked several witnesses this question. Can you point to any system by which we can capture into public service the class of men who have risen to eminence and who showed both talent and character in independent life ? There are several such instances, men whom everybody admires and respects and who have done very well. But we have had the misfortune of not enlisting them. Can you think of any method by which we can enlist that class of men in public service ? In other words, it means that you have to detect early in life the germs of the qualities which they disclose later ?—I understand what is meant. I should say: why not select boys and send them to England for thorough English education and for the assimilation of English character. It is to that I attach the greatest importance. I give greater importance to character than to intellectual equipment.

39181. You have just expressed the opinion about mutual assimilation. There is such a thing as the genius of the Indian people and if that were Westernised, they would lose a good deal; but the thing is not to Westernise it but to get the best out of it ?—Therefore, I purposely use the word assimilation as contradistinguished from substitution. What you say would be substitution. What I mean to say and what I meant to say is not Westernising. I strongly object to it; we cannot Westernise. But assimilation is very different from Westernising. It is really like nature taking in a thing and adapting it to its own use—just like man who eats food which becomes part of his strength and never turns him to an animal.

39182. You want to send young men early in life to England to acquire English character ?—Yes.

39183. But those gentlemen that I have referred to have been in India all their lives without going to England ?—But then you are talking of cases where India has produced that character and you know it after you see the result. But what you asked me was, what would be the best means to produce that character. You could not say, for instance, in the early life of these men who have become so prominent that they would be so, nor could their parents be given the credit for adopting the means such as they knew would produce that result.

39184. In other words you cannot help us with the method of enlisting such men ?—I cannot. I come here as a poor man to tell you what I know; but I cannot help you with methods.

39185. In answer to question (19) you say—"Yes. Whatever proportion results from my answer to the immediately preceding question." You mean whatever proportion that the responsible Government thinks necessary for a particular period or would you have the proportion defined by Statute ? I should like to know whether you think that the proportion should be fixed by Statute or that it should be left to the discretion of the responsible Government from time to time ?—I should not fix it by Statute, because it will have to be changed with progress from time to time.

39186. In answer to question (33) you say that you want a College in India for the training of the probationers of the Indian Civil Service. Do you think that you could depend upon a succession of efficient teachers in this country for a long time to come ?—I should think so. Of course it will require care in selecting them and the selection need not be confined to a particular town or city. You will have to get the men wherever you find them.

39187. "Yes" or "no" will meet my question ?—Yes.

39188. The next question you answer relates to the provision of the training of probationers by Provincial Governments. Do you say that each Provincial Government should have a separate college or that they should simply arrange to send their men to one central College ?—One central college would be better.

39189. In reply to question (35), you say "I do not know." Does this simply mean that you have not acquired sufficient information—has this information been within your reach or did you not think it worth while to acquire ?—Undoubtedly not the first. If there had been any system, I think I would have known it. If anything had actually attained the maturity of a system, I would have known it.

39190. You have already been questioned as to the last words of your reply to question (36), as regards District officers not being accessible, and not valuing direct information from the people. I suppose you speak of those who have come within your knowledge and you do not mean to say that you have heard it of all District officers throughout ?—I cannot say that.

39191. There are other witnesses who think, as many of us know, that District officers travel from village to village, and there is a class of well-to-do people, of whom you have spoken, who cannot approach the Collector unless they tip the Jamadar. But when the officer travels from village to village there are not those restrictions ?—I do not quite follow you.

39192. You have said that India is not one country, inhabited by one homogeneous nation, but at present there is a hope of that in the future. You think that the talk of one nationality and that sort of thing is a bit of a romance ?—It is not a romance ; I should call it a bit of pleasant foretaste of the hope to be realised.

39193. An intelligent anticipation ?—Yes.

39194. You say in answer to question (59)—this is my last question—that " the efficiency of a service depends on the motives for sustained interest in the duties." As these motives are an unknown quantity, might not an opinion like that be used to challenge any possible system ? —Yes. That opinion was given with reference to a particular rule from which two words are quoted. What I say is that when the pay of a certain service is determined by a reference to the qualifications at the initial stage of the appointment, I said that that was not the only criterion by which this should be judged.

39195. Of course, I may be wrong in interpreting your statement. You have put it as an axiom and I wanted to know why you put it in that way ?—It is not an axiom at all.

39196. (*Mr. Abdur Rahim.*) I want some information as regards the state of education in Orissa. Is education making much progress there ?—Yes, it is making progress, but we have not had an opportunity to make much progress.

39197. Has the number of graduates increased ?—It has increased, but not very much.

39198. How many graduates are there among Uryas ?—Now altogether not more than 150.

39199. Are many of them in public service ?—Not many, but some of them are in public service.

39200. How many of them are in the Provincial Service ?—I should not risk a reply. These things could be got from books. Why should I risk a reply to be contradicted by records.

39201. Is not Orissa a non-regulation province ?—No. A large portion of it is out of British India.

39202. It is a regulation province ?—Yes.

39203. When you said that officials nowadays were not accessible to the people, I suppose you spoke from your general experience. Is that so ?—No. How could I speak from my experience, because I do not call myself one of the masses, but that is what I have heard. It would have been my experience if I were one of them. That is what I have heard from the people.

39204. From your information ?—Yes. I have to keep myself in touch with the masses, for certain reasons. They always complain to me " who is to listen to us ? "

39205. They complain to you ?—They complain to me as the Secretary of the Peoples' Association. I am the Honorary Secretary of the Peoples' Association.

39206. Have you had many complaints of that character ?—Yes.

39207. Have the complaints been showing a tendency to increase ?—That question I cannot answer.

39208. (*Mr. Maude.*) In your answers to questions (30) and (33) you suggested that a probationer should spend his time in India ; and during that probationary period he should have a course of study in which the vernacular should be taught. Is it your knowledge and your experience that vernaculars are at present better taught in England or in India ?—In England they are in one sense better ; as a foreign language, it is studied with greater care, as regards its etymology and as regards the history of particular words. But a language, with all that clings round it, in the shape of associations round each word, is never learnt well in a foreign country. That is my answer. In England you can learn the etymology.

39209. What I want to get at is the same thing as you were already asked about—whether teachers in Cambridge, Oxford and similar places are far more efficient than the ordinary teachers who could be obtained in this country ?—They are efficient in that direction so far as the philological aspect of the language is concerned, and not in that aspect of it which would make a man more accessible to the people.

39210. Under the present system, when a probationer, or at least a young Civilian, comes to this country, he is put under a selected Collector and he works under him and is sent about to the districts to learn the habits, customs and the languages of the people. Would he not lose the benefits of that if he were sent for two years' probation to a College as you suggest in your answer to question (30) ?—If there are benefits in that way, they would a great deal be outweighed by the benefits that he would receive under the other arrangements—benefits, I mean to say, from the Indian point of view.

39211. In your answer to question (37) you have said "those who are selected for the Judicial branch should receive a training partly in the High Court and partly by working as Judicial Officers, Munsifs, for instance." An alternative method has been suggested, that, after a Civilian has been out for five years in this country, he should be then sent back to England to go through a regular course of training for the bar, study law there and come back to do judicial work in this country. Do you think that plan would be preferable to the plan which you have suggested ?—No, not in my humble opinion, for this reason, that you would have a better opportunity here of knowing the law for the better administration in India. No doubt, in England, he would have a better chance of knowing or studying the principles of law ; but the difference between the

principles of law and the principles as applied to the country, which has very little of common law but mostly codified law—bearing that difference in mind, I think the country where you can learn codified law ought to be selected for legal training.

39212. But you have said in reply to question (16) "too much importance cannot be attached to a thorough grasp and appreciation of fundamental principles of law." Is that consistent with what you said just now?—Quite consistent. You get the fundamental principles of law here. In England you learn the fundamental principles of law, that is, fundamental principles as illustrated in English common law; but here you get the fundamental principles of law as illustrated in the codified laws of India.

39213. In your answer to question (57) you have stated that "the same officer does executive and exercises judicial power in criminal work." What class of officers do you refer to?—The Deputy Magistrates.

39214. What sort of executive criminal work do the ordinary run of Deputy Magistrates do? I do not mean men in sub-divisional charge or in charge of head-quarters?—I include those cases. For instance, in a District head-quarter—you take a place like Cuttack—where a Deputy Magistrate is always in charge and receives police reports.

39215. That is one Deputy Magistrate?—Yes.

39216. Besides him there are four or five Deputy Magistrates and I want to know what executive and criminal work these four or five officers do?—I did not say that all these officers do executive and criminal work. I simply said that some officers do executive and judicial work.

39217. Your remark does not apply to all officers, but only to one?—Yes.

39218. Out of several?—Yes.

39219. You have said just now that cases in connection with landlords and tenants are dealt with by Deputy Collectors and not by Civil Courts? Is that the case in suits for rent also?—It is.

39220. (*Mr. Hussain.*) Will you kindly refer to questions (56) and (60). They are very much allied together. As regards the pay, promotion and prospects of the Provincial Civil Service, do you know that the pay of the service materially differs from the pay of the police officers? I mean the Superintendents of Police and Assistant Superintendents, whose pay goes up to Rs. 1,200, while that of Deputy Collectors goes up to Rs. 800?—What is the use of asking my opinion about that? There is the Civil List which will give you the information.

39221. Do you consider that the work done by the Deputy Collectors and Sub-Judges as onerous and responsible as that done by the Superintendents of Police, and that for that reason the members of the Provincial Service should have the same scale of pay as the Superintendents of police have. Before you attempt to answer that question, I would request you to bear in mind, if you are influenced by the consideration that these Superintendents of Police have to educate their children in England, that, in the case of the Provincial Civil Service people, they have to support a number of poor relatives, near and distant, which an Englishman, as a rule, has not got to do, and also the nature of duties that these two perform?—I may tell you that I am not likely to be influenced by considerations of that nature or how the man came into the post which he occupies. I will certainly answer the question from this position. I find the man there; the nature of the duties is there and what he deserves is the question. Of course the man might have a large family or a man might be a bachelor and has all the comforts of his life for himself. These things must not determine the pay of the post. The question is as regards the nature of the service. As regards the Deputy Magistrates who do judicial work, they have important and responsible work and a good deal of that work consists in examining the matter that is placed before them by the police. They are, in fact, in a manner judges, to a certain extent, and, I should add, judges of the police work and they have to work hard. That I know. But I do not know exactly on what considerations the salaries of these two services have been fixed, and what is the basis for this differentiated pay. But without comparing the two, as comparisons do nobody any good, and are always invidious, certainly, if you take that simply as a standard, the Deputy Magistrates specially appointed to do judicial work ought to get higher pay.

39222. (*Mr. Datta.*) You have stated in reply to question (24) that it is desirable to retain the listed posts?—Yes.

39223. You have also answered that District Judges who were taken from listed posts have been very satisfactory. Will you please give the ground for making that assertion?—Because, as a rule, gentlemen who were appointed to District Judgeships have to their credit long experience as judicial officers. A Judicial officer's duty does not consist in knowing the law only, but in his ability to sift the evidence and to apply the law to the acceptable evidence in each case, and consequently the person who is an Indian is always in a better position to judge of the quality of the evidence and also his superiority especially rises to prominence in cases where the customs of people are at issue, and, as a rule, by the time an Indian is promoted to the post of a District Judge, he has got a maturity of judgment and, if I may so express myself, the blood does not run so quick as it does in a young Joint Magistrate, made a District Judge.

39224. Then in answer to question (37) you have stated that "important branches of law should be prescribed for the open competitive examination. Those who are selected for the judicial branch should receive a training partly in the High Court and partly by working as judicial officers, Munsifs, for instance?—Before

you ask me any questions I must tell you that these are mere suggestions. But the main point is that I want legal training to be had in India.

39225. Do you approve of the idea which was suggested that those who wanted to take a judicial line should be invested first with the powers of Munsifs for two years, and then with the powers of a Sub-Judge for two years, and that in the meantime they would be acting as District Judges from time to time?—In actually adopting a method like that, the cardinal principle that I should stick to is—.

39226. Do you approve of that idea?—Will you kindly permit me to explain what I wish to say. I want to stick to the principle that the training in law should be given in India; but as to whether a person should be invested with the powers of Munsif or Sub-Judge, I think that in matters like that, I should also consult the wishes of the European Civilians, so that nothing may be done which may be unnecessarily unpleasant to their feeling. But certainly the judicial training ought to be done in India. That is my principal aim. If that is acceptable, by all means there is no objection to what you say.

(The witness withdrew.)

DOUGLAS HOLLINSHEAD KINGSFORD, ESQ., I.C.S.; Judicial Commissioner, Chota Nagpur.

Written answers relating to the Indian Civil Service.

39227 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—Recruitment by competitive examination is not an ideal system, but in my opinion it has proved a sound working scheme; and though it is open to objections they are not so forcible as those which may be urged against any method which includes selection or nomination. The principle is that you offer prospects sufficiently attractive to ensure a genuine competition by Englishmen of good education; that the result of examination secures from amongst them those with superior intellectual qualifications; and that their nationality and up-bringing supply you with a guarantee that they are suitable material. I think these objects have been generally attained and that the morale of the Service is, if anything, rather higher than could reasonably be expected from the terms offered. Moreover, I believe that the present system enjoys the public confidence to a degree beyond any other which could be substituted, and this fact in itself is of valuable assistance in recruitment.

39228 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—To the question whether the present system of recruitment by open competitive examination is equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty my answer is in the negative. It must be obvious that an Indian candidate who is called on to compete in a foreign country in an examination conducted in a foreign language upon subjects which form the basis of a Western and not of an Oriental education will do so at a great disadvantage. If he overcomes that disadvantage by success in the examination this fact in itself is a striking testimony to his intellectual qualifications while it also indicates some strength of character; and in practice he has the benefit of some preliminary training in England before and after he competes. As to whether the system secures an equally suitable quality of recruits from India and elsewhere I shall offer some remarks in my answers to other questions. The only alteration I would suggest in the system is the provision of greater facilities to encourage Indian candidates to compete.

39229 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I understand this question concerns Indian administrative interests, and not those of Indian candidates. I do not know whether the combination of examinations for the Home, Colonial and Indian Services was instituted with any idea that it would improve recruitment for the Indian Service or simply as a matter of convenience. It necessitated an extension of the age limit for the Indian Civil Service Examination by some eighteen months, an alteration which was in my opinion undesirable; but with this matter I deal in my answer to question (15). The chief advantages of the present system are (*i*) that a combined examination offers greater conveniences both to the candidates and to the Civil Service Commissioners and (*ii*) that it affords an opportunity of comparing the respective attractions of the Home and Indian Services. The comparison is now-a-days all in favour of the former; for while the Indian Service used to be regarded as the most advantageous, we find that in 1912 only five out of the first twenty successful candidates accepted it.

39230 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am not in favour of a system of simultaneous examinations for the following reasons:—(*i*) In the first place it involves the possibility, and personally I think it is a probability, that in the course of 15 or 20 years the service will be mainly officered by Indians. The financial prospect offered is infinitely more attractive to an Indian than to an Englishman; in the one case it is wealth, in the other it is only a competence. The well-educated Englishman has many avocations from which to choose; the well-educated Indian is almost confined to Government service or the profession of the law. Desire for Government service is extremely keen in India and education is frequently if not generally regarded as a means to that end. The education of most promising

Indian youths will be specially directed to the examination from an early age. On the other hand, in proportion as the Service becomes officered by Indians it will lose its attraction for Englishmen, with the result that only inferior candidates will compete and therefore fewer will pass. (*ii*) I am therefore of opinion that the question of a minimum proportion of Englishmen in the Service is bound to arise under a system of simultaneous examinations and how is that question to be decided? It seems to be admitted by the advocates of simultaneous examinations that an English minimum is necessary in order to preserve the British character of the administration. I will assume then for the moment that the Indian officers admitted under the proposed system are sufficiently capable to be entrusted with those posts which are now reserved for Englishmen. It is only upon this assumption that any question of minimum proportion can logically arise, since in its absence it is to be presumed that at any given time there are certain posts which must be held by Englishmen, and on that presumption there is no question of proportion but only of the number of Englishmen which it is requisite to comprise in the Service at that particular time. I therefore make this assumption and will suppose that Government fixes the minimum at one half. This means that half the vacancies are to be filled by Englishmen and half by Indians, and therefore you are to include perhaps ten English candidates, whose marks have been surpassed by some fifty Indians. I can imagine the ridicule and contempt which will be thrown upon the competitive system when it has been reduced to such a farce as this. The first Indian candidate you have excluded under this proportion rule is a man of excellent character and unexceptionable antecedents, whose family has earned high reputation in Government service, a man of good breeding, good manners and good presence, who has gained athletic distinctions. And whom have you brought out in his place to uphold the British character of the administration? Some individual of mean appearance, doubtful parentage, indifferent manners and poor physique. (*iii*) My next objection is that under a system of simultaneous examinations you have no guarantee as to the capacity of the Indian candidate excepting his intellectual ability. In the Englishmen you have the guarantee implied by his nationality and training. The talk about nationality, racial characteristics, heredity, dominance of character and so forth, arises I think from a desire to give expression to the assertion that the average Englishman has exhibited a peculiar aptitude beyond that of any other nation in Europe or elsewhere for the control and management of foreign people. His administration of India is no exception to this proposition. Whatever there is of discontent or unrest is confined to the literate classes and to a very small proportion of these. The literate class in Bengal numbers only 5 per cent. of the population. The great mass of the people is happy and content and desires no change. The highly literate classes in Bengal have given no proof of the general aptitude to which I refer. It may be that the reason is because they have had no opportunity; the aptitude may be latent and it may develope; but meantime we have no security that in addition to his intellectual ability the Bengali possesses those qualities of character which would render him an efficient administrator among, for instance, the aboriginal peoples of Central India or the Sikhs and Punjabi Muhammadans of the North-West. I think therefore that it is unreasonable that we should be asked to take these qualities for granted. I have alluded to training. The conditions of the existing examination generally ensure in the successful competitor that he shall be a man of good birth and that his education shall have been on the first lines. This presupposes the formation of his character in accordance with the standard prevalent in the English Public School. Indian educational methods are as a rule adverse to the formation of this tone, and when it exists it must tend to be lower because owing to the cheapness of education there is a large admixture from the lower social scales. (*iv*) I think it is scarcely necessary to enter into objections as to matter of detail, but there is one point which I desire to emphasise; it concerns the question of *viva voce* examination. The Commission of 1885 attached great importance to this method of examination, and I think with justice, as calculated to test the readiness, self-reliance and moral courage of the candidate and the value of his written answers. It is obvious that under the proposed system the *viva voce* examination must be conducted by two different persons, and the result is to import an undesirable personal equation.

39231 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—It follows from what I have said on the subject of simultaneous examinations that I am not in favour of any system of separate examination.

39232 (13). Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system that you would propose?—I do not recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service. The public criticism directed against officers of this branch may be summarised thus:—(*i*) that the Judicial Service does not attract the best men; (*ii*) that the officers are not sufficiently well-versed in Civil law; (*iii*) that their Executive training unfits them for judicial duties; and it is proposed to remedy this defective state of affairs by recruitment from the Bar. As regards the first point I would observe that the criticism, though applicable some 12 or 15 years ago, is not so now. At that time there was a general impression that Government relegated its bad bargains to the Judicial Branch, and instances were well known of men being appointed Judges because they were executive failures. The result was accordingly a great disinclination to adopt the branch and great disappointment amongst those who were appointed to it. These conditions were

naturally favourable to indifferent work. I am confident, however, that they no longer exist. The present system is to appoint the more promising of the junior officers who show aptitude for the work, and owing to the better pay (which averages about Rs. 250 a month in excess of that drawn in the regular line) there is now considerable competition for appointment. As regards the second point, there is no attempt to dispute it, and in my opinion Government is much to blame for not insisting upon a remedy; the question has been tinkered at for years. Up to 1891 the Civilian during his two years of probation received adequate training in civil law and the procedure of the Courts; subsequent to that date the Indian Evidence Act marked the extent of civil law with which he was required to possess an acquaintance. No steps were taken to give him any subsequent training and the result has been that in recent years the Civilian on appointment to a Judgeship has not possessed an adequate knowledge of Civil law. With the question as to the training of Civilians for the Judicial Branch I deal under the appropriate heading, but I desire to express here my opinion that a mistake has been committed and an unfortunate impression caused by extolling a knowledge of law as if it were the only attribute required to constitute a good Judge. No doubt a man cannot be a good Judge unless he can correctly apply the law to the actual facts; but of what use is he as a Judge if he correctly applies the law to facts which he has incorrectly ascertained? Surely the primary requisite in a Judge is that he should correctly ascertain the facts. This is of infinitely greater importance than the application of the law. Misapplication of the law can be corrected by the Appellate Courts, which upon the other hand are only too ready to accept the findings upon facts. As a Judge of facts I consider the unprofessional English Civilian (whether a member of the Covenanted or Provincial Service) to be very considerably superior to the professional lawyer class of Munsifs and Subordinate Judges. The former often go astray as to the law from a preference for principles of what they call equity, meaning thereby common fairness and justice—a system which commends itself very favourably to the litigant because he understands it; but in general they exhibit a burning desire to ascertain the facts and often put themselves to considerable pains in order to do so. My complaint against the lawyer Judge, whether Indian or English, is that by virtue of his training and attitude of mind he frequently fails to estimate evidence at its proper value and too often devotes a cursory attention to the facts because the natural bent of his mind lies towards the discussion of subtle and intricate points of law. I have received in appeal from lawyer Munsifs on points of fact decisions of which I believe an English Judge would be incapable. Before leaving the point as to the insufficient equipment of English Civilian Judges, I should like to observe, that while it has been the subject of considerable public criticism, none, so far as I have seen, has been directed to the fact that Indian Subordinate Judges when appointed to act as Assistant Sessions Judges, have to dispose of important Criminal cases without possessing any experience whatever of Criminal law. The third point of criticism to which I have to refer is that the Executive training of Civilians unfits them for the performance of judicial duties. I am so far from adhering to this opinion that I regard it as a heresy of the most pernicious description. I should consider it as nothing less than disastrous if the Judge were divorced from his executive training and thereby from that knowledge of the people which is absolutely essential to the ascertainment of the truth. I assert from personal experience that the Executive training of the young Civilian is an invaluable asset in the performance of his judicial duties. Not only does it teach him the ordinary course of official business and the details of revenue work—matters with which litigation both civil and criminal is often closely concerned,—but whether as Settlement Officer or Sub-Divisional Officer it brings him into intimate touch with the people and acquaints him with their character, customs and habits of thought. It teaches him what mere experience within the four walls of a Court room can never teach him, to sift the true from the false, to detect the fabricated case, to discover the false additions imported into a true case and to know why they have been imported;—in a word, it teaches him how to do justice. Now if competent lawyers, English or Indian, with the requisite knowledge of the people and the requisite administrative capacity, can be procured, I have no objection to their appointment; but I entertain a strong objection to the appointment of any person on the sole ground that he is a competent lawyer. My experience of lawyer Judges is that while they concentrate themselves devotedly upon particular cases they are unconsciously allowing the others to fall into arrears. I doubt whether they appreciate the fact that what honest people require is quick, and therefore necessarily cheap, justice; or the fact that tardy justice is frequently no justice at all. In fact they do not shine as administrators, and in this respect they are certainly inferior to Civilians. I do not think there has been sufficient recognition of the fact—and I assert that it is an unquestionable fact—that the administration of criminal justice in this part of India is more efficient than that of civil. The reason is that the work of the Deputy Magistrates who dispose of criminal cases is closely supervised by the District Magistrate, who does not tolerate any form of dilatoriness or procrastination. The result is prompt disposal of the Criminal business. With regard to civil business a very different state of affairs prevails. The District Judge does what he can, but he is not able to exercise the same degree of supervision over the work of the Subordinate Courts, and he is often deterred from interference by a natural disinclination to bring his administrative into conflict with his judicial duties. The result is that civil suits are prolonged from month to month and from year to year; that the rich litigant obtains adjournment after adjournment and thus exhausts his adversary,

whose means are expended in the payment of his lawyer and witnesses on every occasion that they come to Court; that an era of what the country people describe as Vakilraj (Empire of the Bar) has been inaugurated; and that the administration of Civil Justice has fallen into disrepute. Can we expect that a lawyer Judge, the trend of whose mind leads him to estimate efficiency by the quality of the work which he sees in appeal, will do more to remedy this state of things than a Civilian in whom his training has necessarily inculcated the expediency of administrative efficiency?

39233 (15). If the system of recruitment by open competitive examination in England is retained, please state the age limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—I am of opinion that it is of extreme importance to improve the conditions of the Indian Civil Service, and in this view I am strongly disposed to recommend a reversion to the age limit which prevailed from 1878 to 1891, that is 17-19 years, with this modification, that I would fix the limit at 18-19 on the 1st January. The age of the successful candidate at the time of examination in August will thus be about 19 years. He will then be sent to the University on an allowance of £200 a year for three years, to take the ordinary University Course including an Honours degree. I believe the reduction in age will prove a considerable attraction. The successful competitor will receive his University career for nothing and he will be earning his livelihood in India at an age when he is now probably incurring debt at home. I fix the age at 18-19 because this ensures that a boy will not be taken from school at too early an age for the purpose of being 'crammed.' I do not altogether share the popular prejudice against the crammer, but there is no doubt that the schoolmaster for various reasons did all that he could to dissuade his promising pupils from leaving school for the purpose of being crammed for the examination, and as it was the exception for boys to pass without being crammed, the result was that the schoolmaster exerted a very hostile influence upon recruitment. One of his reasons was that he wanted the boy to complete his education by taking the University course and thereby incidentally to procure some credit for the school. By providing that successful candidates shall take the full University course, I ensure that the schoolmaster will become an active recruiter, and I also encourage him to provide extra tuition and thereby to evade the crammer. My other reason for recommending the full University course and for not recommending any course of Indian law or languages is that I consider it undesirable that a boy should be taken away from his subjects just at the time when they are beginning to afford him some intellectual pleasure and real educational benefit. Specialisation may come later.

39234 (16). What is your experience of the relative merits of the candidates selected under varying age-limits, particularly under the systems in force from 1878 to 1891 (age-limits 17-19 years, followed by two or three years' probation at an approved University) and since 1891 (age-limits 21-23 or 22-24 years, followed by one year's probation)?—I am disposed to believe that while the mental calibre of the average candidate selected under the old and new system of age-limits is much the same, the old system provided a larger number of men of exceptional ability. The reason is, I think, that they were caught young and before they knew their own powers. A man of 22 who has had a distinguished University career is not likely to turn to the Indian Civil Service.

39235 (18). What is the most suitable age at which junior Civilians should arrive in India?—I believe the suitable age for arrival in India is between 22 and 23.

39236 (19). What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India," and for other natural-born subjects of His Majesty?—In recommending a reduction of the age limit I have not lost sight of the question as to its suitability for Indian candidates. The Commission of 1885 dealt fully with this matter and their recommendation was that the limit should be 19-23. I believe the generally accepted view is that the present age-limits suit Indian candidates well, because they permit of the full University course in India being taken and of a subsequent residence of two or three years in England before appearance at the examination. On the other hand my impression is that at the age of 18-19 the Indian is at a considerable advantage over the English candidate, because an examination of youths at that age is chiefly directed to testing their knowledge; and the Indian has a better memory and acquires knowledge more quickly than the Englishman; moreover his mind at that age is in a more advanced state of development than is that of the Englishman. Four years later when the examination is directed rather to the application of knowledge than to its possession, they compete upon more equal terms. To this extent I believe the reduction in age will favour the Indian candidate; the difficulty is that parents may be unwilling to send their children home at the tender age which the alteration involves, and for this I suggest a remedy in my answer to question (42). I do not recommend any differentiation of age.

39237 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not

specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well educated young man of the period?—I accept the principle as stated.

39238 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons?—No differentiation is desirable.

39239 (42). Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—In reference to my answer to question (19), I have to express the opinion that Indian candidates for the competitive examination would benefit greatly by a longer training in England and by being sent there at a much earlier age. I believe there are many parents who would be willing to send their boys to England at the age of 13 provided Government would accept the responsibility of their education; and with the machinery which now exists at home for such supervision, this matter seems to present no difficulty. I think Government might well offer a limited number of Scholarships to be competed for annually in India by boys of this age, the successful candidates being thenceforward educated at English public schools at Government expense until they are of an age to appear in the examination.

39240 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—I consider that under the present conditions the probationer's course of instruction is generally of little advantage and that it should not be continued.

39241 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—The duration of the probationer's course in England under the system which I have proposed should be three years.

39242 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—Yes.

39243 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend.—I think the allowance should be £200 a year, paid subject to satisfactory report as to their progress. Government should also defray the expenses of a call to the Bar.

39244 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—I think there has been some deterioration in the knowledge of Indian languages possessed by members of the Indian Civil Service, and I attribute the fact to the following causes: (*i*) the increase of office work resulting in reduced facilities for association with the people, (*ii*) too frequent transfers, (*iii*) more extended use of the English language. The first two reasons suggest the remedy.

39245 (63). Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and if so, what changes?—The changes which I recommend in the rules for the study of Oriental languages are as follows:—(*i*) that the proficiency be taken between two and four years' service. The object is to encourage the young Civilian to pursue his study of the language after passing his departmental examination; (*ii*) that for the same reason the High Proficiency examination be taken between five and seven years' service; (*iii*) that there should be a suitable limit in the Degree of Honour examination.

39246 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—The only remarks that I have to offer on this subject concern the Judicial branch and will be found in my answer to question (66). As regards the second portion of the question, however, I may say here that I do not recommend any system of study leave to Europe, whether for the purpose of being called to the Bar or with any other object. I do not think that any combination of leave and duty is desirable. If a man wants leave he wants a holiday. If he wants work he may spend his time to much better advantage in India than in England. A year as a Settlement officer will give him experience of infinitely greater value than a course of study in Chambers. If a candidate, during the period of three years' probation which I have proposed, can afford the time to be called to the Bar, I have no doubt he will derive advantage. It is also desirable that during his probation he should attend the Courts and report cases. But I am unable to discern any merit in the proposal to separate a young Civilian from the work which is teaching him a knowledge of the people. What he will gain in knowledge of English law and procedure is a poor set-off against what he will lose. I have no sympathy with the suggestion that an officer acquires any dignity from the fact that he is a barrister. In the course of my experience I have met with only a single individual whose attempts to pass the examination had not been crowned with success. The stupid and ignorant barrister is a well-known feature of Indian Courts and a subject of contemptuous ridicule by the vakils.

39247 (65). Do you recommend any special course of study in law in India for officers

selected for the Judicial branch?—I do not recommend any special course of study in law for officers in the Judicial branch and I am opposed to the suggestion that they should for that purpose be attached to the High Court.

39248 (66). Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch? If so, please give details?—I consider that officers should be selected for the Judicial branch at about five years' service. The preliminary period should be spent roughly as follows:—1½ to 2 years' training for departmental examinations, 2 years on Settlement work, 1 to 1½ years as Sub-Divisional Officer. I lay great stress on the employment in Settlement work, and the work to which I allude is not mere supervision but the actual business of 'Khanapuri' attestation and the decision of disputes. The Settlement Department from a natural disposition to economy in the interests of landlords and tenants is unwilling to employ Civilian agency for this purpose on the ground of its expense; Government should overcome this reluctance by paying the difference. The present system under which junior Civilians are deputed to settlement work for a month or two is a mere farce. At five years' service should come appointment as Munsif and Joint Magistrate, and this ought to be in selected stations where there is a strong Bar. As Joint Magistrate the officer should try a limited number of Criminal cases. The next appointment will be as Sub-Judge and Assistant Sessions Judge, and this will be followed at 10 or 12 years' service by appointment as District Sessions Judge.

39249 (67). Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?—Yes. I would institute an examination with suitable rewards for that purpose and I would insist upon its being passed as a condition precedent to appointment as Judge.

39250 (88). To what extent are the functions of the officers of the Executive and Judicial Branches of the Indian Civil Service differentiated? Is any change desirable and, if so, in what directions?—I propose to deal generally with this question and to avoid any detailed description of the system existing in this Division (Chota Nagpur) under which certain civil powers are entrusted to Deputy Commissioners. The differentiation of functions of officers of the Executive and Judicial Branches of the Indian Civil Service comes into operation with the appointment of an officer as District and Sessions Judge. Thereafter, except so far as concerns the control of his own and the Subordinate Courts and their establishments, the Judge performs no executive duties. He performs certain *quasi*-judicial duties in the examination of the work and inspection of the registers of Subordinate Courts. The District Magistrate is generally, and in some districts almost entirely, concerned with executive work. His *quasi*-judicial functions are of the same nature as those of the Judge. He possesses the following judicial powers:—(*i*) power to receive complaints, (*ii*) power to try cases, (*iii*) power to hear appeals from 2nd and 3rd class Magistrates, (*iv*) power of criminal revision, in respect of ordering fresh enquiry into a case dismissed or of reporting to the High Court, (*v*) power to transfer cases. He also possesses a number of magisterial but not strictly judicial powers under the Code of Criminal Procedure. These are too many to enumerate in detail but they will be found in sections 64, 65, 95, 96, 98, 100, 153, 155, 156, 157, 159, 164, 167, 174, 176, 192, 337, 552, 561 and in Chapters VIII to XII and XIV of the Code. They include power to arrest, to issue search warrants, to generally control police investigation, to record statements and confessions during enquiry and to take preventive action by way of securing the peace and good behaviour. I believe that in practice the extent to which these duties are performed by the District Magistrate is very slight and my experience is that the tendency generally is to leave the investigation of crime almost entirely under the control of the District Superintendent. The judicial powers possessed by the District Magistrate are also exercised to a very slight extent. He disposes on the average of about 100 appeals, 90 applications for revision and 12 original cases during the year. In 1911 District Magistrates tried only some 400 cases out of a total of 120,000. The work of receiving complaints is nearly always entrusted to the Joint Magistrate or the Senior Deputy Magistrate; and the amount of business connected with the transfer of cases is very small. There has been considerable discussion as to whether these functions should be further differentiated and a proposal has been made that the District officer should be divested of all the powers which I have enumerated and that they should be entrusted to a Senior Magistrate. I am not in favour of that proposal, and the arguments upon which it depends are in my opinion fallacious. They generally centre round the contention that because the District Officer is responsible for the peace of the district and because the Magistrates are subordinated to his control, they are consciously or unconsciously biassed in favour of convictions. I think I have stated the argument fairly and I think it requires only to be stated for its fallacy to stand exposed. The fallacy is that the District Officer from his desire to maintain good order wishes to see the innocent found guilty. This is a stupid libel. No one can really suppose that the interests of peace and good order are served by the conviction of the innocent; if such a policy were pursued it could only result in disorder and the disrepute of justice. What the District Officer desires, and desires rightly, is the conviction of the guilty. There is no doubt that Magistrates are occasionally averse to convict and that they pass orders of acquittal upon evidence which amply justifies a conviction. It is requisite to correct this tendency, and if the District Officer on examination of a record finds reason to admonish the Magistrate for an improper acquittal, and the latter subsequently convicts in a case where he ought to have acquitted, that is the fault of the individual and not of the system. It is a fault

which no further separation of functions can cure, for it will still be the duty of the Senior Magistrate to call attention to cases of improper acquittal. I find as a matter of fact that in 1911 Deputy Magistrates convicted in only 56 per cent. of cases. Benches on the other hand—and they are independent bodies—convicted in 69 per cent. and District Magistrates in only 39 per cent. The convictions in Sessions Courts is 62 per cent. Deputy Magistrates were upheld in 63 per cent. of the cases taken on appeal, and as concerns Civil justice, Munsifs were upheld in 62 per cent. The figures are instructive in several respects but I will comment only on the fact that if the District Magistrate is anxious for convictions he is setting his Deputies a very poor example. Much of the misapprehension upon this matter dates from the time when the District Magistrate was also the Superintendent of Police. The argument then was that the same authority ought not to catch the thief and try him; but in the altered conditions which, as I have indicated, now prevail, the argument does not apply. A great deal might be said upon this subject, but I will deal with only one other aspect of it and that is the question of the maintenance of the District Officer's authority. In the opinion of Sir James Stephen (who was a lawyer and not an Executive Officer) this is absolutely essential to the stability of British rule. I believe that every officer, whether Magistrate or Judge, who is well acquainted with the circumstances of these Provinces, is convinced that the proposed separation must necessarily have the effect of weakening that authority in a very marked degree. Although the District Officer does not make much use of his magisterial powers he is known to possess them, and it is this fact which gives him his prestige; for the Oriental mind attaches very little importance to merely Revenue functions and the highest to magisterial. It will very soon be realised however that he has ceased to possess them when a rival authority in the person of a senior Magistrate is established. I am satisfied that if we deprive the District Officer of these powers we shall deprive him at the same time of the greater portion of that influence which he now exerts for the comfort and happiness of the people. I do not know whether the extent to which a capable District Officer watches over and protects the interests of the tenantry is sufficiently realised. And it should not be forgotten that Government as landlord owes a special duty to the raiyats. It is true that over a large area of the country Government by the permanent Settlement divested itself of its landlord rights in favour of the middlemen who collected the rents; it could not, however, divest itself of its duty towards the tenants; and for the last 50 years it has been engaged in protecting their rights and securing them from oppression by a series of Acts which have developed into a system of model land legislation. It is essential that these people should know that the District Officer has the power to protect them. They are an undeveloped people of extremely primitive habits of life and thought, and the system suits them well. At the same time the union of Executive and Judicial functions is not a system necessarily unsuited to a people in a condition of more pronounced development; it is not unknown in England.

39251 (105). Have you any other proposals to make in regard to the conditions of salary not covered by your answers to the above questions? - On the questions as to conditions of salary I need only say that I adhere to the opinions expressed by the Indian Civil Service Association, Bengal Branch, in their letter addressed to the Commission.

39252 (117). Have you any other proposals to make in regard to the conditions of leave not covered by your answers to the above questions?—On the questions as to conditions of leave my views are expressed in the letter addressed to the Commission by the Indian Civil Service Association, Bengal Branch.

39253 (124). Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—My opinion on this point is that expressed in the letter of the Indian Civil Service Association, Bengal Branch, addressed to the Commission.

39254 (125). Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?—The letter addressed by the Indian Civil Service Association, Bengal Branch, to the Commission, expresses my views on this subject.

39255 (135). Have you any other proposals to make in regard to the conditions of pension not covered by your answers to the above questions?—I advocate the abolition of the present system of deducting annuity contributions from salaries and the grant of a net non-contributory pension of £1,000 a year.

Written answers relating to the Provincial Civil Service.

39256 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—I am not satisfied with the existing arrangements for filling the listed posts. The officers appointed are usually in the very latest stage of their service and frequently under extension. Such conditions necessarily give rise to discontent. It is extremely difficult to suggest an appropriate remedy, but I am disposed to think that a rigorous system of selection should be instituted in order to offer encouragement to officers of exceptional merit. The present method seems to be not so much one of selection, as of exclusion of officers who have been found wanting. It might also be feasible to introduce a scheme under which exceptionally qualified junior officers should be admitted into

the Indian Civil Service after a period of training in England.

39257 (46). Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—There is certainly a considerable amount of dissatisfaction and discontent among the officers of both services with regard to their pay and promotion. A great deal of discouragement is caused by insufficient recognition of good work. There should be a more rigorous system of selection for promotion. In the executive service there appears to be a considerable block and I think the grades require revision. The judicial service is at a considerable disadvantage with the executive owing to officers not being appointed until they are about 29 years of age. Officers should be admitted to the judicial service as soon as they have taken their B. L. degree, and put to work on probation under selected Government Pleaders for two years. During the second year they should be given officiating appointments. I also think it most objectionable that these officers should have to tout for appointments as they do; it is a system most damaging to their self-respect and no one feels this more than they do themselves. I would offer the vacant appointments to the senior men on the B. L. List. Certificates of character are useless and should be dispensed with.

MR. D. H. KINGSFORD, called and examined.

39258. (*Chairman.*) You are Judicial Commissioner, Chota Nagpur?—Yes.

39259. How long have you occupied that position?—I have been there for four years.

39260. You approve of the system of open competition and you are generally satisfied with its result?—Yes.

39261. But you admit the drawbacks from which Indians suffer in respect of the distance from their country?—Certainly.

39262. And you would propose, by way of offering them further facilities, the creation of State scholarships, to enable young Indians to go to England?—Yes.

39263. I gather from your answers that you suggest that these scholarships should be offered to young boys of about 13?—I do suggest that.

39264. How many scholarships do you suggest?—Five or six a year.

39265. Do you think that parents would be ready to part with their children at that age and allow them to leave this country for England?—Provided that they had some guarantee that the boys would be properly looked after at Home.

39266. You do not think that there would be any reluctance on the part of parents in parting with their children while so young?—I think not, when the scholarships are so valuable.

39267. We have had varying evidence in regard to this proposal. Some, like yourself, have advocated it as the best means of educating the Indian to British characteristics in administration; we have also had evidence to the effect that in taking a boy of that age to England you would run the risk of divesting him of what is best in Indian character, while British characteristics will be only imperfectly acquired. Have you considered that point of view at all when you made this proposal?—Would you tell me what is the best Indian character of which you may divest him by sending him Home?

39268. It is not for me to describe it and I can only put it broadly as it has been put to us. But I expect that, with your more intimate knowledge of India, you will be able to gather what is meant, as I take it that in your proposal you do not desire the Indian to become or you do not contemplate that he would become, completely Anglicised?—Not more than an Indian member of the Indian Civil Service now-a-days.

39269. Do you not think that going to England at the age of 18 would enable the Indian to acquire those characteristics as well as at 13?—I think not to the same extent.

39270. You suggest a reduction in age-limit for the competitive examination?—I do suggest that.

39271. You suggest the school-leaving age, 18 or 19?—Yes.

39272. You contemplate that will deter Indians from competing at the examination in England?—I had contemplated that, and the remedy I suggest is the foundation of these scholarships.

39273. We have had it suggested to us that the point that you lay stress upon, namely, giving the Indian a thoroughly British training, might be fulfilled through the medium of a supplementary examination held in India, with the condition that the successful candidate should proceed to England and undergo a training for three years at one of the approved residential Universities. What would be your objection, if any, to an arrangement of that character?—You would have a separate examination for a certain proportion of the candidates that you require every year. The first objection is that it raises the question of proportion, and I do not think that any question of proportion logically arises.

39274. What is your particular objection to a proportion?—I think it is not a question of proportion, but the actual number of superior posts in any province which can at any particular time be held by Indians. This must vary from province to province and from time to time.

39275. That is your objection to the proposal?—That would be one of the objections. The other objections would be what I have indicated in my reply to the question about the simultaneous examinations.

39276. Do you admit that the reduction of the age-limit to 18 or 19, while it would be an advantage to Europeans, would be a serious

disadvantage to Indians ?—In one respect it is and in another it is not, because, I think I have said in my answers, the Indian at that age has a great deal more knowledge than the average Englishman at that age.

39277. Yes, but on the other hand, it would affect his educational career in India ?—That is quite true. It would practically prevent him from going up for the examination, unless he had been at Home for some years previously.

39278. In view of the disability that would inevitably be imposed by the reduction of the age-limit, would you consider, that the granting of six scholarships would offer sufficient facilities for Indians to enter the Service ?—That is not the only set-off that I propose. I propose that Indian parents might be encouraged to send their children Home at an early age on condition, not necessarily on the terms of scholarship, but on condition that their training at Home is looked after by some such authority as exists at present for the purpose.

39279. From your full and interesting answer to question (13) on recruitment for the Judicial Branch of the Service I gather that you think that there has been a great deal of improvement of recent years in the personnel of the judiciary ?—Yes, I do believe that.

39280. And you are satisfied generally that, on the whole, a good class of officers is being attracted to it ?—I think so.

39281. And you desire to see further progress on the same lines, combined with more systematic training ?—Yes.

39282. You propose, I think, that the officers should finally select for the Judicial Branch after five years ?—Not before five years. I would not object to six.

39283. Then you indicate, in your answer to question (66), I think, the preliminary training, year after year, that you would suggest for an officer who will ultimately enter the Judicial Service ?—Yes.

39284. Will not that necessitate a decision on the part of the Civilian, immediately after passing the examination, or rather immediately after his arrival in India ?—No. What I have described there corresponds pretty closely to the average training which Civilians get, except that I have stated there that he should have two years' training in settlement work, whereas an ordinary Civilian only gets a few months' training in it. That is a point in which, I think, the training of the ordinary Civilian ought to be altered. I think that all Civilians ought to have settlement training. Therefore, the training that I have proposed for the judicial officer does not vary from what, I think, an ordinary Civilian ought to have, when he comes to this country.

39285. That progressive course which you describe would be identical for both the branches of the Service ?—It is so.

39286. You lay great stress on service in the settlement department, as a training for the judiciary ?—Yes, I think it is extremely valuable.

39287. In what particular respect do you regard it as very valuable ?—Because I know it brings the young Civilian into very close contact with the people and gives him intimate acquaintance with their habits and manners, and it gives him also a great deal of knowledge as to the relations between the landlord and the tenant, and it is with these relations a great deal of litigation in India is concerned. It also gives him an intimate acquaintance with revenue law.

39288. So he becomes well-informed in questions of tenure and revenue law ?—I do not lay so much stress on that, as on the knowledge of the people that he acquires.

39289. We have had a great mass of evidence from various witnesses in favour of recruitment either in whole or in part from the Bar. Could you give us your ideas on the subject ? What in your experience is the income made by an average successful member of the district Bar ?—You mean in the mufassal and not in Calcutta ?

39290. Yes ?—I do not think that I should like to hazard an answer on that point. No leading barrister appears before me in Ranchi. There are few barristers in this province, except in this particular town, and I have never been in Bankipore as a judge.

39291. Would you say that those in good practice would be likely to be attracted to the position of the District and Sessions Judgeship ?—No. I think not.

39292. What would be your opinion as to selecting from Government Pleaders and Public Prosecutors ?—By referring to the Bar, I did not know that you were including the Pleaders.

39293. I am asking you about another point which has been brought forward by witnesses specifically—that selection should be made not from the Bar generally, but from Government Pleaders and Crown Prosecutors. Do you think that men could be selected from them, who would make competent Judges ? Do you think that men occupying those positions would be attracted to such appointments ?—I think many men occupying those positions would be attracted to those posts ; but I cannot say that I know more than one or two, not more than two of the Government Pleaders or Public Prosecutors, who would be fit for these appointments.

39294. You are not prepared to give any very definite opinion on that point ?—I meant that opinion to be definite. I do not think that the scheme would be successful.

39295. You do not think that the officers who occupy those positions are of sufficient eminence or experience to qualify them to become good District and Sessions Judges ?—I should say that it would be very exceptional to find a Government Pleader or a Public Prosecutor, who is fitted for the post of a District Judge.

39296. You speak of the procrastination which marks civil litigation. Can you tell us what system of inspection of subordinate courts is in force in this province ?—The District Judge is supposed to inspect the Munsifs' courts under

him once a year, and also at stated intervals he examines records, a certain number of records taken at random, among those sent in by subordinate courts, and he tests them to see whether there has been any undue delay in disposal. But, of course, it is not possible for a District Judge ordinarily to inspect all the Munsifs' courts once in a year.

39297. Would you say that the judiciary was adequately staffed in this province for that purpose?—You mean the purpose of inspection?

39298. Yes?—I am not speaking of my own province now. I should say that there are many district courts in Bengal, where the work is too much for a single officer to do and where the District Judge has so much work that he really cannot afford any time for the purpose of inspection.

39299. Are you prepared to say that in certain districts in this province there is room for an increase in the staff?—It is difficult to say that there is room for a permanent increase. There are many districts which would benefit considerably by having an Additional District and Sessions judge given to them for a certain number of months every year. I could not name any district where two Judges are required now, instead of one.

39300. There are certain months in which the work is much heavier?—No, on the whole it is not so. What happens is that there are districts where sessions and civil work combined is more than what an ordinary Judge can get through in the year, and therefore the arrears mount up, and when they do mount up, it becomes necessary to send an additional Judge to assist him in disposing of them. I think there are several districts where such additional Judges ought to be sent more freely than now. I do not suggest any reduplication of the existing staff.

39301. Your suggestion is merely for the purpose of giving temporary relief?—Yes.

39302. You argue against the separation of judicial and executive functions and I understand your view to be that the situation has undergone a change and is still changing now?—That is so.

39303. That, for instance, the District Magistrate has steadily been ceasing to do very much active magisterial work?—Yes.

39304. And to a certain extent he is dropping also out of active police administration?—I believe that is the general tendency.

39305. I understand that the reorganisation of the police of recent years has contributed towards it?—That is so.

39306. Do you anticipate, in the future, a time when the police will be exclusively under the control of their own officers?—I do not know whether they will ever come entirely under the administration of the District Superintendent, and entirely outside that of the District Officer, but the tendency has certainly been of recent years for a District Officer to interfere much less with the work of the police.

39307. And there is now much less cause, for any interposition on the part of the District Officer, as compared with what there might have been a year or two ago?—I think that probably is the case. I could not speak from personal experience. I think probably it is the case.

39308. You have not answered in detail the questions regarding the conditions of salary, leave and pension of your service, and you would refer us to the memorial put in by the Bengal Branch of the Civil Service Associations. We have had that memorial before us and it has received and will receive our careful attention. Just to correct my memory, can you tell me whether it differs, to any great extent, from the proposals made by the Government of this province, or would they mainly correspond?—I would not like to trust to my memory; but I think probably they correspond pretty closely.

39309. You have seen, I daresay, the proposals?—I have seen both.

39310. Speaking broadly, do you agree with the proposals of the Government of this province with regard to salary, leave and pensions?—Yes, broadly speaking.

39311. I would like to ask you one more question and that is in regard to the Provincial Service. You suggest the admission into the Indian Civil Service of particularly well qualified officers in the Provincial Service and you also suggest that they should undergo training in England, prior to their admission into the Civil Service?—Yes.

39312. Do you mean by that, that the listed post system should be abolished and that this scheme should supersede it?—No. I suggest it as supplementary to that. I only throw it out as a suggestion, as I am anxious to improve the condition of the Provincial Civil Service, because I look upon that as the proper field for the recruitment of Indians, if there is to be any extension of the Indian element in the superior posts. If there is to be any extension of that element in the superior posts, I would like to see those posts filled by men from the Provincial Service, and I want to improve the conditions of that service, in order to encourage the men who have got into it and also to encourage the best men to take it up. I throw out this as a suggestion. It might be feasible to send very promising young officers to England and then introduce them into the Civil Service.

39313. In other words, if it came to a question of the further admission of Indians into the Service, apart from their admission by means of these scholarships at Home, you would prefer promotions from the Provincial Civil Service, to any form of direct recruitment in India?—I would.

39314. Do you think that the promotion from the Provincial Civil Service of a few selected officers of that service will make for contentment and encouragement among the rank and file of the Provincial Civil Service?—You are alluding now

to the suggestion that men should be sent Home and introduced into the Indian Civil Service ?

39315. What I understand your proposal to be is that men of merit and ability in the Provincial Service should be moved over the heads of their colleagues into the Indian Civil Service ?—That is only a part of what I would like to do for the Provincial Service. I would like to introduce a much more rigorous system of selection for promotion than what exists now; and I think it would certainly encourage the men in the Service, the able men in the Service, if you had such a system. My experience is that they get extremely discouraged. What ordinarily happens is that you get a number of really good men into the Service, and that you spoil them by teaching them that it is no good to them to do good work.

39316. You think that the class of men that you have met with in the Provincial Service can compare favourably with those men who have gone through an English training, successfully passed the examination in England and are to-day members of the Indian Civil Service ?—I think the class is the same.

39317. What is the intellectual and administrative calibre of men of that class ?—You wish me to compare a successful Provincial Civil Service man with an Indian Civil Servant, who has had training at Home.

39318. And has gone through the superior ordeal of the Indian Civil Service examination ?—I should say that there is very little difference between them.

39319. (*Sir Theodore Morison.*) I should like to ask you first with reference to your answer to question (13) whether you could give us any evidence which makes you say that the administration of criminal justice in this part of India is more efficient than that of civil. What were you thinking of when you said that. Is it only an impression of yours or it is based upon anything which you can put before us. There is the same thing perhaps when you say further on at the end that the administration of civil justice has fallen into disrepute ?—As regards the disrepute into which the administration of civil justice has fallen, I have gathered that impression from the people with whom I have spoken.

39320. They spoke of it as I gather from what you say, as Vakilraj ?—Yes.

39321. That might apply to criminal as well as civil justice ?—No. In speaking with people with regard to civil litigation I certainly derived the impression that they do not regard Civil Courts as extremely efficient.

39322. You heard complaints as to the extent of arrears in Courts. Is that not a natural grumbling about the law's delay ?—I think what I have said about delay and consequent expense has been gathered partly from what I have heard and partly from my own experience. I think it is impossible for a Judge to act in that line for a good many years without forming some opinion as to the effectiveness of the civil litigation which is going on under his direction.

39323. You compare the two, Civil and Criminal litigation that goes on underneath you, and you have come to the conclusion that the administration of criminal justice is more efficient ?—I think criminal justice is more efficient in this way: that there is less delay and less harassment to parties.

39324. Is the general impression here that criminal justice is as pure as civil justice ?—I do not think that people differentiate the two as regards their purity.

39325. They have equal confidence in the judgments of Deputy Magistrate and those of Munsifs ?—I should say so on the whole. Probably there is more confidence in criminal justice, than in civil justice.

39326. Including all the lower Courts ?—I am speaking of the lower Courts.

39327. I go to your answer to question (15). Have you considered the suggestion that the State should pay £32,000 a year in allowances to probationers ? I put it quite straightforwardly, that the criticism which suggests itself is that this is a large amount of State expenditure on the liberal education of its servants, which they have hitherto been in the habit of finding themselves. Lord Macaulay's Committee gave a general verdict "that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling." I understand that the payment of allowance has always been on the footing that we are paying them to fit themselves for a calling—it is a payment for professional and technical education when they finish their general education ; but your suggestion of the payment of £30,000. is for giving a liberal education ?—I have a strong impression that in order to maintain the standard of the Service, the Government will have to spend money in some direction, and I suggest that as one of the directions in which money might profitably be spent, in order to maintain the standard of the Service and to improve it.

39328. My difficulty is that you will be in the same state of unpreparedness for professional education, as you are at the present moment. But all that you do now is to transfer to the State the burden of general education ?—That is all I do.

39329. But there is no reason to do that, unless you make them better and more efficient servants of the Government of India ?—If you get a better class of men, your object is served by spending the money in that way, just as if you spend it on their pay or on pensions.

39330. Have you got a better class of men which has sufficiently marked distinction ? Are you able to say that from amongst the people you have known, people who come out in another age are markedly different ?—I think I have answered that question. My impression is that there is not much difference to choose between the average men. Under the old system you did get men of exceptional ability, because you got them

when they were young. But I do not think that under the present conditions, those men, after they had had a successful University career, would have taken up the Indian Civil Service? You got them before they knew their own power.

(Adjourned for a short time.)

39331. (*Mr. Abdur Rahim.*) Have you had any experience of Indians who have been to England at the age of thirteen or thereabouts and have been educated there?—I have had experience of one who has been to England quite young.

39332. Only one man?—Yes.

39333. As a matter of fact there are very few like that?—Very few, indeed.

39334. Supposing that there is a strong objection on the part of parents to sending their sons to England at that age, your scheme of scholarships will not have much chance?—Not in that case.

39335. Have you known many Indians who have received their education in England at the age of 18 or 19, who have stayed there for three or four years?—That roughly indicates the average Indian who joins the Indian Civil Service, I think.

39336. And the Bar too?—It may be. I have a certain amount of experience, but not much.

39337. So that really we have not any data to proceed upon with regard to your scheme giving us better Indians than we now get for the Civil Service?—That I think is so.

39338. And those Indians who do get into the Civil Service may be generally assumed to have properly utilised their time in England?—Yes, educationally.

39339. They are not the sort of men who are likely to be mixed up with any political propaganda or anything of that sort?—I cannot say that at all.

39340. I understand from your answer to question (13) that you consider the profession of Law does not afford a suitable ground for recruitment for District Judgeships?—Not necessarily.

39341. I mean as it exists in this country?—I do not say that you cannot find amongst practising Barristers men capable of acting as District Judges.

39342. I did not confine myself to Barristers?—I include Pleaders also.

39343. Both practising in head-quarter towns, as well as in the Districts?—There are not many I think in district practice.

39344. You would prefer the man who practised in the large centres where you would get a larger body?—Yes. Of course you get a better Bar in a place like Calcutta than you do in the mufassal.

39345. But there are some places in Bihar which have very large and able Bars?—Certainly.

39346. I suggest to you it is possible to find some men in those places quite competent to discharge the duties of a District Judge?—It may be so, but I have no guarantee that they have the necessary training.

39347. Of course as the experiment has not been tried to that extent there is a certain amount of uncertainty, but if you concede the principle that the profession of Law does afford suitable material for Judges, I should like to know if there is anything peculiar in the conditions of the profession here which would prevent us from acting upon that principle?—I think there is nothing peculiar in the conditions in India. I should like to qualify that by saying that I admit the principle which exists at home of appointing Barristers to be Judges is sound, but I do not admit that the principle of appointing either English Barristers or Indian Barristers as Judges in India is sound.

39348. You mean from the profession of Law?—Yes.

39349. Then it comes to this, that you do not think the profession of Law is likely to provide suitable men for Judgeships?—I think there are plenty of suitable men, but not men whom the pay would attract.

39350. There are no doubt leading men, half-a-dozen men, say, in a place like Calcutta, who would not accept even a seat on the High Court Bench, but excluding those, do you say there are no competent men who would accept the place?—I have no guarantee of a Barrister's competence unless I know what fees he is earning at the Bar. If he is earning very high fees he will not be content to accept the position of a District Judge.

39351. Supposing he is a man of ten years' standing and earning between Rs. 1,500 and Rs. 2,000, would you consider that that gave him sufficient status?—I have no doubt that kind of man would be willing to accept an appointment, but I do not consider that he would be so well qualified for that appointment as a member of my own service who has had the necessary training.

39352. You mean a Revenue and Police training?—Not only Revenue and Police training, but he has had a good deal of Judicial training and he has acquired close and intimate knowledge of the people.

39353. Do not you think an Indian has a knowledge of the people of this country if he is a Barrister or Pleader with some practice?—I do not think the ordinary practising Pleader is in intimate relations with the people of the country. I think the Munsif has to learn a great deal about the people, just as the young Civilian has to. My experience of Munsifs who have had Settlement training is that they are much better Judges of fact than the Munsifs who have not had that training.

39354. Do you say that Munsifs or Subordinate Judges are not good Judges of fact?—I say they are not such good Judges of fact as the Civilian Judge.

39355. Would you say that is the Indian opinion?—I am disposed to think it is.

39356. Would you also say it is the opinion in the legal profession?—I could not say.

39357. Supposing the opinion of the profession generally is that the men in the Subordinate Judicial Service are as a body very good Judges both of law and fact, would you be prepared to say that is wrong ?—I should say it was an exaggerated statement.

39358. Supposing it is the opinion of the .High Court too ?—That would not alter my view.

39359. And the opinion even of some distinguished members of the Privy Council ?—I really do not think the Privy Council are qualified to express an opinion.

39360. The greater part of your Judicial career has been in Chota Nagpur, has it not ?—Perhaps if you exclude the time that I was in Calcutta as Chief Magistrate that might be correct. I have been acting almost continuously as a Judge since 1901.

39361. As District Judge ?—Yes.

39362. As Chief Presidency Magistrate of Calcutta you would not know anything about the work of Munsifs and Subordinate Judges ?—No.

39363. When you say that the Munsifs and Subordinate Judges are not as good Judges of facts as Deputy Magistrates, is that opinion based on any figures, or is it your general impression ?—I have no figures to support that.

39364. I suppose you will agree with me that the way Criminal Judges deal with evidence is essentially different from the way in which Civil Judges deal with evidence. The Magistrate's first duty is to see whether a case has been clearly made out by the prosecution, and if he is not satisfied on that point the case ends. The Civil Judge, Munsif or Subordinate Judge has to weigh the evidence on both sides and has to pronounce which is the more reliable evidence ?—That is quite true.

39365. That would make very considerable difference in the result of appeals upon facts. If you hear an appeal from a Magistrate's conviction you have to see whether the case for the Crown is beyond reasonable doubt, and if you are not satisfied you can reverse the decision ; but if you hear an appeal upon facts from the decision of the Munsif or Subordinate Judge, you have to see on which side the evidence is stronger. So that there is more scope for difference of opinion in a Civil appeal upon facts than in a Criminal appeal ?—Surely, in both cases the Judge has two sets of facts before him and he has to decide which is correct.

39366. Is not there a difference ?—Certainly, there is a difference.

39367. I am asking this question with reference to the figures you give in answer to question (88). The figures really are not sufficient to convey anything. For instance you say that Deputy Magistrates convicted in 67 per cent. of cases, Benches convicted in 69 per cent., and District Magistrates in only 39 per cent., and you say that Deputy Magistrates were upheld in 63 per cent. of appeal and Munsifs in 62 per cent. I suppose the inference you want us to draw from that is that to the extent of one per cent. the Deputy Magistrates have an advantage ?—The rough inference which I wish to draw is that Deputy Magistrates on the whole are as correct in their decisions as Munsifs.

39368. Is it not really difficult to compare decisions in Criminal cases with decisions in Civil cases upon figures of that sort ? It is impossible to come to any conclusion upon them as there is no common basis for any inference to be drawn ?—It is only a rough inference and I do not attach great weight to it.

39369. In discussing the question of the separation of the two functions, the real point you make, and it is the only point that has been made so far as my knowledge goes, in defence of the system, is that if you separate the two functions it will tend to weaken the authority of the District Magistrate ?—I do not consider that to be my most substantial argument.

39370. May I take it that you would not be inclined to place too much importance on that ?—I attach a great deal of importance to it.

39371. Would you say that a Commissioner has not sufficient authority in his division ?—A Commissioner comes into very little contact with the peasants.

39372. That may be, but is not his authority respected throughout his division just as much as a Collector's authority is respected in his district ?—That comes to this : does the peasant in a particular district think as much of his Commissioner as he does of his District Officer, and my answer to that is, No.

39373. Do not confine yourself only to the peasant. I suppose there are other people to be considered ?—Those people who come into contact with the Commissioner officially will think more of him than they do of the District Officer, because he is the District Officer's superior.

39374. Take the influential classes in a district or a division : with them I take it the authority of the Commissioner of the division stands very high ?—Theoretically it does.

39375. But is it not so in fact ?—No, I should think probably not.

39376. Would you admit that there is room for considerable difference of opinion on that point ?—It is a matter on which I would rather you had the experience of an Executive officer.

39377. As regards the peasant, is it not a fact that the man who is really looked up to most by him is the Subordinate Police Officer, more than even the District Magistrate, the Sub-Inspector of Police or even the Head Constable ?—Certainly not.

39378. What is the other argument on which you lay stress in defence of this system ?—I think no case has been made out.

39379. I want to know what advantage it has. The only advantage you mention so far as I can gather is that it gives him a greater authority. It seems to me it is a refutation ?— I think what you say is correct. When I answered you just now I was rather considering the first portion of my answer, and the first portion of my answer is destructive rather than constructive.

39380. You pointed out that it is fallacious to suppose that District Magistrates would desire a conviction more than was warranted by the case, but there is another argument strongly advanced against the present system, namely, not that a District Magistrate more desires conviction, or that he actively interferes with the trial of cases, but that owing to the fact of his being Head of the Police and also of the Subordinate Magistrates a certain apprehension is induced in the minds of the Subordinate Magistrates that the results of certain cases of importance, Police cases, would be liable to bring upon them the displeasure of the District Magistrate if the cases did not end in conviction. Is not there a belief in the public that such an apprehension does exist in many cases in the minds of the Subordinate Magistrates ?—No ; I should say that is not the fact, speaking generally.

39381. Do you know that applications are made for transfer in cases where prosecution has been sanctioned by District Magistrates ?—I know that applications are made for transfer.

39382. Does not that indicate an apprehension in the minds of the public or the profession that in those cases the Subordinate Magistrates might not discharge their duties with that detachment of mind which they would have if they were not subordinate to a gentleman who is also directing the prosecution ?—I do not think it indicates in the mind of that particular accused anything more than a desire to prolong the proceedings.

39383. I suppose you deny that there is really a strong opinion in favour of the separation of the two functions, and that that opinion has been in existence for years ?—I do not deny that there is a strong opinion, but I think it is confined to a very small class of the population.

39384. Do you mean those who belong to the legal profession ?—The feeling certainly is very strong amongst them.

39385. Do not you think they are the men who are best judges as to whether there is any justification for the apprehension which I have put to you ?—I do not think the fact that a Counsel makes an application for transfer is any indication that he really believes that he will not get a fair trial before that particular Magistrate.

39386. I suppose you know that Counsel make applications upon instructions ?—Yes.

39387. That would indicate an apprehension in the mind of the accused or his relatives or friends who instructed Counsel ?—Not necessarily. It may merely indicate a desire to prolong the proceedings.

39388. Do you know of any cases at all where this combined power has been abused ?—Do you mean of any case of miscarriage of justice owing to the combination of Executive and Judicial ?

39389. That is what I mean ?—I believe there have been cases, but I cannot call to mind any personal experience of a case at the moment. A number of cases were alleged in Mr. Ghose's Minute but I cannot say whether they were made out or not.

39390. (*Mr. Madge.*) As no system of recruitment is considered absolutely perfect with reference to test of character, I should like to ask you, as a sort of forlorn hope, whether you have ever thought of any method of recruiting Indian talent and character, such as we observe sometimes in an independent career and think it would be a great advantage if we could obtain it earlier in life in the Service ? There are familiar names of men who have been of high character and great talent ?—There are men who would have been a great asset if we had had them in the Service ; certainly I have met men of that description.

39391. Have you ever thought of any method by which we could get them into the Service of Government ?—No, I have not. One generally finds them in positions to which they would find it very difficult to attain in the Indian Civil Service. I have met them as Ministers in the Native States, as for instance Hyderabad, and I doubt whether men of that calibre would be willing to enter the Indian Civil Service.

39392. In answer to question (13) you say you do not recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service, and you go on to say : " I am so far from adhering to this opinion that I regard it as a heresy of the most pernicious description. I should consider it as nothing less than disastrous if the Judge were divorced from his Executive training and thereby from that knowledge of the people which is absolutely essential to the ascertainment of the truth." Have you been fortified in this opinion by the public opinion of Sir James Fitz-Stephen, the eminent Barrister, who was for a time Legal Member of the Government of India, to the effect that the prestige and authority of the British officer are the pivot of British rule in India, and if he does not actually use your own word " disastrous " he uses some adjective equally strong about any change in that direction ?—Certainly I have heard that and I refer to it elsewhere in my answers.

39393. If you think it would be absolutely essential that this knowledge should be acquired by the Civilian, is that one of your strongest reasons for opposing recruitment from the Bar ? You prefer the results of actual experience in the past to what you think a sort of leap in the dark, however well it may be recommended theoretically ?—That is so.

39394. You have told us that you have been a Presidency Magistrate in Calcutta, and of course you are aware that the Collector of Customs exercises a peculiar jurisdiction and the Collector of Income Tax exercises a peculiar jurisdiction. Supposing you were seriously told that this separation of the Collectorate in Calcutta from the Magistracy was an argument that reasonable persons accept for carrying out the separation in the mufassal what would you think of such a statement?—I should say it was no argument whatever.

39395. Do you think it at all reasonable ?—I do not.

39396. Why ?—Because the conditions are absolutely different in Calcutta from what they are in the mufassal.

39397. Entirely different ?—Absolutely different. You have there a population well able to look after themselves.

39398. You say in your written answers that the great mass of the people is happy and contented and desires no change. Might that refer to the whole system of government as well as to any particular little change we are discussing ?—I think it does.

39399. You advocate sending to England young people from this country early in life, and I should like to emphasise the question already put to you as to whether you are aware that there is a strong feeling that you run very serious risks by sending boys home early in life before character has been formed in this country ?—I think his character will be better formed at home.

39400. You do not think that early in life when he is impressionable he will be Anglicised to an extent that he would not sympathise so much with his own countrymen ?—I do not think so.

39401. He is not on the same footing as an Englishman who comes out here ?—Of course he is divorced very much from his immediate caste and family relations, but I do not see any reason why his feelings towards the people in general should be different from what they would otherwise be.

39402. (*Mr. Fisher.*) You said to the Chairman you objected to fixing a proportion between the Indian and English members of the Civil Service. Would you go so far as to say that it would never be expedient to fix such a proportion ?—I think it is the wrong way to go about the matter. I do not see how you can logically fix a proportion until you have decided in each particular province what particular posts ought to be held by Englishmen. There is no question of proportion. Of course it ultimately becomes a proportion, but I would not attempt to fix a rough proportion until I had first considered that matter province by province.

39403. Assuming, for instance, that in any given year two-thirds of the places awarded at the London examination were won by Indians, would you then think that the time had arrived to fix a proportion ?—I think that matter has been dealt with in some Minute by the Government of India or the previous Commission. Undoubtedly under those circumstances it would be necessary to fix a maximum.

39404. What considerations would guide you in fixing the number of your scholarships ? Would you be in any way guided by the average number of successes at the London examination ?—I do not think I should go into that, because I admit that the matter had never reached that stage in my mind. I have not considered the number of scholarships that should be given.

39405. It is very difficult to fix the number of scholarships without implicitly fixing a proportion. You must have in your mind a sort of ideal proportion as to the numbers of Indians whom it is expedient to employ in the Service as a whole before you fix the number of your scholarships ?—That is so certainly.

39406. In settling the number of scholarships you are not really thinking of the special needs of each particular province ; what you are really thinking of is a sort of proportion which ought to subsist between the Indian members as a whole and the English members ?—That is certainly a difficulty.

39407. Do you see any great difficulty in principle between offering six scholarships to enable boys to go to London for the examination and offering six places in the Service to be competed for in India ? Of course in one case there is more uncertainty than in the other, as a few Indians might not succeed ?—My object in recommending the scholarships was to try and induce people to send their children home so that they might get the benefit of a school training.

39408. In other words, that is the vital point of your recommendation. You would not propose a scheme of scholarships if the scholarships were to be awarded at 19 and not at 13 or 14 ?—The Government have recommended that in this province, but I do not sympathise with it very much.

39409. With regard to classes and communities, would you agree with the opinion that it is more important to preserve the due representation of classes and communities in the Provincial Civil Service than it is in the Indian Civil Service ?—I have not thought about that question of proportion of class and community. I have not answered the question, and I would prefer not to give an extempore opinion.

39410. (*Mr. Chaubal.*) I should like to know what you think is the object of that small section which you say has for a long time been asking for this separation of the Judicial and the Executive. Do you know what is passing in their minds ?—I should not like to offer an opinion as to what it is, but I could give an opinion as to what it is not. I do not think it is the interests of the people at large.

39411. It may or may not be to the interest of the masses, but surely if you are to look at what they think you will say it is not from any motive of self-interest that they ask for a change of venue. If I am a practising Pleader I cannot understand why it should be to my interest to appear before one particular officer rather than before another. So that it seems to me, whether rightly or wrongly, it is a feeling which appears to be genuine although it may be held by a small section ?—I could not say whether it was genuine or not.

39412. With respect to your remark in answer to question (13), that it is an unquestionable fact that the administration of Criminal justice in this part of India is more efficient than that of

Civil, would you specially confine it to this part of India or would you say that it was the same with respect to other provinces also ?—I could not say anything about any other province except of course Bengal.

39413. But the general condition of administering Civil and Criminal justice is the same in all provinces, is it not ?—I suppose it is pretty much the same.

39414. So that *primâ facie* that observation of yours, if it is the result of the system, would apply more or less to all provinces ?—I should prefer you to obtain the experience of officers in other provinces about that. I must confine my own experience to my own Province.

39415. Do I understand that "efficiency" in that sentence of yours is practically tantamount to speedy, expeditious justice ?—Yes, that is very much so. Speed and cost here mean the same thing.

39416. I thought from the sentence that preceded the observation that the important element of efficiency there seemed to be expedition? —Yes.

39417. Do you not think that the system of administration of Civil justice as compared with that of Criminal justice is bound to be a little slower ?—From the time of the institution of the case Civil justice must be slower than Criminal justice, certainly.

39418. Therefore Civil justice is to a certain extent bound to be administered more slowly than Criminal justice ?—It is bound to be slower to a certain extent.

39419. The complaint about slowness is due in Civil cases mainly to the difficulty of bringing up the witnesses at one time in the mufassal. When the plaintiff is putting forward his case, if he has cited twenty witnesses and summoned five for the day, out of those five only one, or perhaps two, will appear, and the other witnesses will have to be summoned again or warrants will be issued. The main difficulty that protracts cases in Civil Courts is the difficulty of getting the witnesses in time ?—I do not think that is the main reason for the prolongation of cases. I think a great deal of it is deliberate on the part of the parties, and a great deal of it arises from the unbusinesslike methods of Munsifs.

39420. I quite concede that parties may find it to their interest to keep some witnesses absent on the day on which the case is put down, but is not the greater reason for delay on account of this difficulty ?—I think not. My experience is that that difficulty does arise, but what ordinarily happens is that no witnesses are present at all, and the party who wants to prolong the case gets a Pleader to put in an application to the effect that he is ill and unable to bring his witnesses, and he gets an adjournment, which very often is too freely allowed.

39421. Have you in this province a body of officers whom we call Inspecting Subordinate Judges ?—No, we have no such officers here.

39422. They are supposed to go round throughout the whole year looking into the files and diaries of the Subordinate Judges and exercising control and supervision over the delay which you speak of ?—We have no such system here. With respect to the Presidency towns you will admit that whatever the differences may be between the mufassal and the Presidency towns, as a matter of fact, there has been separation between the Judicial and Executive so far as the towns are concerned ?—Yes. The Magistrate in Calcutta performs a large number of magisterial or executive duties apart from his judicial duties.

39423. Is the Presidency Magistrate in Calcutta in any way different from the Presidency Magistrate in Bombay ?—No ; I think he performs the same functions.

39424. The sort of powers which the District Magistrate in the mufassal has over the Subordinate Magistracy is in Presidency towns vested in the Commissioner of Police, such as the keeping of the peace of the district and those powers which are supposed to be the responsible duties of the District Magistrate ?—A great number of those powers are vested in the Commissioner.

39425. But the Magistracy in the Presidency towns is in no way subordinate to the Commissioner of Police ?—Not subordinate to him, but the Commissioner of Police has the executive power and the status in a place like Calcutta. The Presidency Magistrates have very little status.

39426. In the Magistracy in the Presidency towns, though not supervised by a person who has the powers of the District Magistrate, and who are under the control of the High Court if they are under the control of anybody, you do not find there is any evil on account of the Magistracy not being made subordinate to the officer who is responsible for the peace of the town ?—I think that depends entirely on the Chief Presidency Magistrate. It has been the common complaint against the Barrister Magistrate in Calcutta that he allowed cases to fall into arrears and that justice took a long time to get, and that was the one point of praise they had for the Civilian Magistrate, that he did not allow that to take place.

39427. With respect to your answer to question (88), where you try to draw some comparisons from statistics you have given with regard to disposal of cases, you concede that so far as the power of appreciating evidence of fact is concerned the Indian Civil Servant as a Judge is better than the Munsif and the Subordinate Judge ?—Yes.

39428. I suppose you are aware that some of the Chief Justices examined by the last Public Service Commission gave an opinion the other way ?—I was not aware of that.

39429. That a Civilian Judge often reverses the findings of facts of Subordinate Judges of 15 or 20 years' experience and that they had to be set right by the High Court. Have you seen how the figures compare with regard to the confirmation and setting right of Munsifs and Subordinate Judges as compared with the Civilian District

Judges ?—I saw some reference to figures the other day from which I gathered that the figures of Subordinate Judges were better than those of District Judges. I do not know whether that is the fact.

39430. That was my impression too ?—I am not sure whether it is so, but I saw some reference which suggested that.

39431. I think the figures show that with respect to Bombay, at any rate. With regard to Settlement work, you say that it gives the Civilian an opportunity of mixing with the people and that that experience enables him to judge for himself what class of witness he has got when sitting on the Bench as a Judge ?—It helps him in that respect, certainly.

39432. Is the knowledge of the people which is so valuable to the Judge on the Bench anything more than that a larger acquaintance with the people enables you to see exactly what type of witness you have before you and what particular credit to attach to the testimony given by such a witness ?—I think it amounts to more than that. It amounts to a general knowledge of village life and acquaintance with the people which must make you better able to judge of the truth of a particular story in a particular case.

39433. Is it not with a view to coming to a conclusion as to what amount of credit you will attach to a story which witness gives before you ?—That is only one portion of it.

39434. You think that practitioners who have practised for any length of time and appeared before Magistrates and Sessions Judges in the mufassal for years together do not get the same knowledge of the people and their habits and ways, and of village life, which would entitle them to the same confidence as judges of facts as do the District touring officers ?—I do not think they get the same acquaintance at all in a court room as they would in a village. My experience is that witnesses will give quite different evidence in a Court from what they will give in a village. Many witnesses will hesitate to tell a lie before an officer who inquires about the case in the village.

39435. I am speaking with reference to the evidence in court. I want to know whether there are not opportunities for a practitioner who moves about in the mufassal to understand the people and to know what is going on behind the scenes, which experience enables him to be a far better judge of facts than any Executive Officers can possibly be ?—No doubt if a pleader were to get his knowledge at first-hand in the village he would get to know a great deal about the people, but my experience is that he usually accepts his client's case, a portion of which is nearly always fabricated.

39436. (*Sir Murray Hammick.*) Settlement means a different thing in different provinces, and I should like you to tell us very briefly what a Settlement Officer in Bihar and Orissa really does ?—In the first place he has to supervise the survey operations and what we call the 'Khanapuri', that is to say, the preliminary stage when the records of rights are written up on the ground.

39437. That is, he has to discover the exact position of the proprietary rights in each piece of land ?—Yes, the *raiyat* holding it, to whom he pays rent, all the superior landlords' rights, the position of the tenancy, and so on, and he has to decide disputes between different parties at that stage, and he has to decide disputes at the next stage and at further stages also.

39438. You refer to the landlords and tenants being unwilling to employ a civilian agency for this purpose. That implies, I suppose, that the Settlement Officer here settles rents under the Bengal Tenancy Act ?—We are working in Chota Nagpur under a special Act by which we ascertain and if necessary settle rents. The procedure is very much the same as under the Bengal Tenancy Act, but the expenses of the proceedings are apportioned between the landlords and the tenants, and therefore the Settlement Officer likes to keep down the expenses as much as possible.

39439. But as a matter of fact, in pursuance of these settlement duties, he has a great deal of semi-judicial work to do in the settlement of these disputes ?—A great deal.

39440. And it is not only his acquaintance with village life, but he gets into the way of balancing evidence on one side and the other that he hears in connection with these disputes as to rent and as to proprietary right and as to rights for communal land, and so on ?—I think so.

39441. With regard to the University course that you desire for the candidates who pass the open competition, you do not propose that during that University course they should do anything specially with reference to India ?—No. I propose not.

39442. Would you give them a proper training in India after they had taken their degree ?—No. The point I lay most stress on is that men are brought out too old now. I think twenty-two is the proper age to bring a man out.

39443. You would bring them straight out after they had taken their degree in the University ?—I would bring them straight out and put them to their departmental work.

39444. Would you not insist on this University course containing a certain amount of Law ?—I have said that I think it advisable men should be called to the Bar and that they should attend the course, but I do not think any further course of Law is necessary.

39445. One suggestion made to us is that the University course should be a course for a degree partially Oriental and partially legal, a special course which the Universities would afford for obtaining a degree in principles of Law and in some amount of Oriental history, ethnology, and so on. Would you favour that kind of specialisation ?—I would not, because I think the principle should be that you should allow a man to complete his general education and not specialise until he has completed it.

39446. Then do you not think that the objection to all these men would be more strongly felt than ever, that they arrive in this country absolutely unfurnished with any rudimentary principles of Law, which so many witnesses have insisted upon as being important for them when they arrived ?—I think they will have plenty of opportunity to pick up Law after they come out.

39447. Besides picking up the language you think they would pick up enough of the principles of Law ?—I think so.

39448. You do not think any further change would be necessary on that point ?—I do not think so.

39449. With reference to the deterioration in the knowledge of Indian languages, have you ever thought whether it would be a better system to divide the examination in the vernaculars into an examination of books and a colloquial examination, and have the candidates come up for the book examination, grammar and translations, after one or two years, and put off the colloquial examination for another three or four years when a candidate might be really expected to have got into an absolutely fluent way of talking to all classes in this country ? Do you not think that the examiners at these examinations which are held within two years of a candidate arriving in the country are naturally inclined to be comparatively lenient to the candidates on the ground that they have not had time to learn the conversational part of these languages properly ?—I think very likely that is true, but then why not put the conversational part first and the book part afterwards ?

39450. Do you not think it takes a very long time to develop the conversational part, much longer than writing grammatically and being able to translate fluently from written documents ?—Yes. To talk really well and like an educated Indian is extremely difficult, and very few men can do it.

39451. Do you not think it would be a good plan to get rid of the book part of the languages very early in the candidate's career and to insist that he comes up four or five years afterwards to pass a really stiff examination in conversation ?—Yes, probably it would.

39452. With regard to the separation of the Executive and the Judicial, I understood you to say that, apart from the loss of power and influence on the part of the District Officer if his Magisterial powers were taken away, you do not think there are many other arguments for the existing system except that it works well and you do not wish to see it changed ?—Yes.

39453. But do you not think the existing system gives a supervision over the Magistrates by a touring officer which would be exceedingly likely to be reduced in efficiency if the supervision of these Magistrates was handed over to a sedentary officer such as the Head Magistrate of the District would be under any system which took away his powers as an Executive officer ?—I suppose the theory is that you would give the same powers of supervision which the Magistrate has now to the senior Magistrate who is to be the new authority.

39454. You think it absolutely necessary that the Magistrate who is the senior Magistrate should be a touring officer with ample time thoroughly to inspect his courts in person ?—I do.

39455. Do you not think that the possibility of having on one side of the administration the Police with the Civil officer and on the other side the Courts, knowing nothing of the Police except what they hear of them inside the Courts, is very likely to produce a state of friction between the two agencies for the administration of justice which might lead to a great deal more misdoings on the part of the Police, and a great incapacity on the part of the Courts to control them ?—I think that is very true. The Courts will understand the position of the Police even less than they do now, and one result will be that the Police will be much less likely to take up the case of a poor man against the rich man than they are now.

39456. You think there is a great safety now in the fact that the Head of the District, who practically has nothing to do with the immediate trial of cases, is on the one hand thoroughly up in all the methods of the Police in this country and on the other hand is in the closest touch with the Magisterial files of the Magistrates in his districts ?—Yes.

39457. One complaint of the present state of things is that Excise and Forest cases, and cases in which the fiscal interest of the Government are concerned, are tried by Magistrates who are responsible for the due collection of revenue, and so on, to the Head of the district. Have you ever thought whether it would be possible to remove the appeals from all such cases to the Sessions Judge instead of allowing them to go, as now, in many provinces, to the District Magistrate ?—There has been a proposal to take all appeals from second and third class-Magistrates in this province from the hands of the Magistrate and to make them over to the District Judge. Beyond the fact that it involves a considerable extra amount of petty work for the District Judge I see no objection whatever to doing that.

39458. (*Mr. Maude.*) It is your experience as a District Judge that Deputy Magistrates are in fact influenced in their decisions by the fact that they are subordinate to the District Magistrate ?—No, I do not believe it. You may get individual cases occasionally but you cannot get rid of it by any change.

39459. If there is an impression in the minds of certain people that such is the case, that impression in your opinion would be a fallacious one ?—Certainly.

39460. You have spoken very strongly in your answers as to the necessity of Executive and Settlement training. Which do you think would be most difficult for a man who has undergone

Executive and Settlement training, to pick up a sufficient training in Law when he becomes a Judge or to pick up a competent Executive and Settlement training afterwards ?—I much prefer the system under which the man can have his Executive training first and get his Law afterwards.

39461. You think the converse would be more difficult ?—I think so.

39462. Would not that difficulty be very much enhanced if a man is taken into the Judicial Service after he has had so many years' practice at the Bar and has shown his powers by such practice, or has been in a business house or anything of that kind ?—I think the difficulty of giving the man the necessary administrative and Executive training under those circumstances is almost insuperable.

39463. With regard to Settlement training, a large number of cases that come before Judicial officers have to do with land matters ?—A very large proportion.

39464. Matters between landlords and tenants and matters regarding complicated tenures ?—Yes, a very large proportion.

39465. Would not you say that a Settlement training is particularly useful in dealing with such cases ?—Certainly.

39466. In fact that it is almost essential ?—I think it is, and that is why I have recommended a prolonged period of Settlement training for every young Civilian.

39467. For the reasons to which I have just referred, you are of opinion that there should be no differentiation in the method of recruitment to the Civil Service between the Judicial and the Executive officers ?—No differentiation whatever.

39468. Would you extend that to the Provincial Civil Service, that is to say, that the method of recruitment for Sub-Judges and Executive members of that Service should be also the same ?—I do not think it is necessary. I think if you give the Munsif the training I propose, which will include a certain amount of administrative work, inspection of office, and so on, and of being put in charge of different branches of the office, and a Settlement training such as many of them are getting now, he will be sufficiently competent to do his work without actually putting him through the Executive branch.

39469. (*Mr. Hussain.*) In answer to question (19) of Provincial Civil Service you say that for the purpose of listed posts there should be a regular test by selection. Do you think in this respect seniority should not count for much and that real merit ought to be the consideration that should influence selection ?—It should be real merit, not seniority.

39470. You have paid a great compliment to the Deputy Collectors when you said in answer to the President that good Deputy Collectors are as good as Indian members of the Indian Civil Service, and you have also referred to the lack of incentive and you say there is not much encouragement for good work. Would you propose that there should be a few posts equal to that, say, of a Superintendent of Police at Rs. 1,200, which would furnish encouragement to the Provincial Service ? It is not possible to provide many of them with listed appointments, and in order to encourage good work and to draw sufficient men, do you not think it would be well to have some posts of that kind ? If they are as good as Indian members of the Indian Civil Service surely they deserve more encouragement than they are now receiving ?—I certainly think the Service requires re-grading on more favourable terms. Perhaps it might be possible to include a first grade on the pay you suggest.

39471. (*Mr. Datta.*) You say in answer to question (13) that you consider "the unprofessional English Civilian (whether a member of the Covenanted or Provincial Service) to be very considerably superior to the professional lawyer class of Munsifs and Subordinate Judges," and you have said further on in your printed answers that there are in the Service men of proved merit and ability. What do you mean by "the professional lawyer class of Munsifs and Subordinate Judges ?" Do you include them all or only those who do not weigh and estimate the evidence as to facts but lay much stress upon Law ?—I merely alluded to the fact that all Munsifs and Sub-Judges are drawn from the professional lawyer class. I am not distinguishing between different classes of Munsifs and Sub-Judges.

39472. Then you think as a class that Civilian Judges and Deputy Magistrates are superior to Munsifs and Subordinate Judges in deciding on facts ?—I think I have said European Deputy Magistrates.

39473. You mean English Deputy Magistrates ?—Yes. European Judges. They take much more trouble to get at the facts.

39474. Do you think they come to correct decisions on the facts ?—I do.

39475. You say: "Before leaving the point as to the insufficient equipment of English Civilian Judges I should like to observe that, while it has been the subject of considerable public criticism, none so far as I have seen has been directed to the fact that Indian Subordinate Judges, when appointed to act as Assistant Sessions Judges, have to dispose of important Criminal cases without possessing any experience whatever of Criminal Law." No criticism is made against their work and therefore it is to their credit ?—I cannot say whether their work is open to criticism or not. I have not had any experience of it.

39476. But you say it is not criticised. Does not that show that it is not liable to criticism ?—I am rather alluding there to the partisan character of the criticism, to the fact that criticism is directed against the English Judge on a particular ground, but it is not levelled against the Indian Judge, although it might be, upon the same ground.

39477. Do not you know that the Munsifs and Sub-Judges have to practise for three years, and, before getting the appointment, for two or three years more ? Practically they have to

practise as lawyers for five or six years before they get the appointment?—But many of them when appointed have very little acquaintance with Criminal Law.

39478. But many have knowledge of Criminal Law and a fairly good practice in Criminal Law before they become Munsifs?—My experience is that Munsifs as a rule do chiefly Civil work before they get appointments. I should say it was an exception for them to do Criminal practice to any large extent.

39479. It is exactly the reverse: junior Pleaders get Criminal cases first and then Civil cases.—I did not know that.

39480. You have said that the administration of Criminal justice in this part of India is more efficient than that of Civil, and you have given the reason for it, namely, that it is much more closely supervised by the District Magistrate, while the Civil cases are prolonged from month to month because work is not supervised. But is it not a fact that, notwithstanding supervision, a Munsif is not able to cope with his work but delays cases because he has no time to do them, and people do not bring witnesses because they know that older cases will have preference over new cases?—That is very often the fact.

39481. So that the remedy lies in properly manning the Service?—In many cases that is so: efficient manning and efficient supervision.

39482. In your answer to question (19) of the Provincial Civil Service you think that men of proved merit and ability should be appointed District Judges but that a rigorous system of selection should be instituted?—Yes.

39483. Would you make that selection from the first grade Munsifs?—Under the system I propose you would have the European Civilian serving as Munsif and subsequently as Assistant Sessions Judge and Assistant District and Sessions Judge, and as District Judge, and you might make the appointment from the Provincial Service at any of those stages.

39484. Would it not be too early if he was selected from the third or second grade Munsifs?—There is no reason why you should not promote a Munsif of exceptional ability from the bottom grade into the second, over the heads of others, and so on.

39485. Can you give us a definite plan for your rigorous system of selection?—No, I cannot give a definite system now.

39486. There is no doubt the proper man should be selected, but the question is how he is to be selected?—It is very difficult to make a suggestion of that kind extempore.

39487. Would you have a Board consisting of from three to five Judges of the High Court who would examine reports from District Judges and records and make the selection?—If a better system of inspecting the Civil Courts is instituted I do not think it would be difficult to devise a system of selecting officers of proved merit.

39488. Would not a better system of selection be by looking at the records?—That must be done too.

39489. If the office is good the Sherishtadar would be good?—That is so. Even a good Munsif cannot make a bad Sherishtadar into a good one.

39490. In answer to question (46) you have said that you would offer the vacant appointments to the senior men on the B. L. list, and that certificates of character are useless and should be dispensed with. Would not many complications arise if only the senior men in the B. L. list were appointed? For instance, now a student passes Matriculation at sixteen, and in four years gets the B. A. degree, and after three years he gets the B. L., or seven years in all. If a man passes in 1908 he would get his B. L., provided he failed in no year, in 1915, and if he is M. A., B. L., it will take two years more, which brings him to 1917. So that if only the senior men in the B. L. list are taken, if one passes in 1904 and fails in some of the examinations and he is first in the B. L., while the one who did not fail in an examination is second. Would you give it to the first man and not to the second? Then again, should not the son of a Sub-Judge or a Munsif get some recognition of his father's service; as in every other department, such as the Postal, the Executive and so on? Many complications would arise if your system be followed?—No doubt it is a proposal which would have to be thought out and the details would have to be arranged.

39491. I take it you do not put it forward as a definite method?—No. I have no objection to combining the B. L. with the B. A. list.

39492. Should not M. A.'s be preferred to B. A.'s or B. L.'s?—It certainly requires that the details should be worked out.

39493. You would not like to commit yourself to any definite form?—No.

(The witness withdrew.)

TOWNLEY RICHARD FILGATE, Esq., C.I.E., General Secretary, Bihar Planters' Association, Ld.

Written answers relating to the Indian Civil Service.

39494. (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—We consider the present system not entirely satisfactory because it gives too great a preponderance to mere scholarship without taking sufficiently into account the other qualities necessary to make an efficient administrative officer.

39495 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—We recommend a combination of nomination and com-

petitive examination. We consider that the competitive examination should be held without alteration exactly as at present, but that candidates prior to entering for such examination should present to the Examiners a certificate procured from a selection board to the effect that they are suitable for membership of the Indian Civil Service in regard to their physical, moral and social qualifications. Such certificate must have been procured by the candidate after the age of 18 from a board either in England or India. In either case a two-thirds majority of the Board should be Britishers and one-third past or present members of the Indian Civil Service. Further we hold that any candidate for the Indian Civil Service Examination must have previously taken a three years' course at one or other of a number of British Universities approved by the Civil Service Commissioners. Successful candidates after being allotted to their respective provinces should proceed to India, where they would spend one year on probation at a central college, at the end of which term they would be required to pass a qualifying examination in Indian languages, law and any other subjects that the Commission might deem necessary. Should any candidate fail in this qualifying examination he should be allowed one further attempt to pass one year later, and in the event of his failing at this second attempt his services should be dispensed with and he be given a free passage to any part of the British Empire he may wish to proceed to, together with a gratuity of £100. Candidates passing the qualifying examination should then sign the usual covenant with the Secretary of State, with the addition of a clause by which the Local Government is at liberty to dispense with their services on the expiry of 4 years on payment of compensation in the shape of an annuity of £100 without being required to give any reasons for its action. Candidates on probation should be paid at the rate of Rs. 400 per month, and on passing the qualifying examination should receive not less than Rs. 500 per month for the first two years of their service and Rs. 700 for the next two years. We also strongly recommend that the Government of India should yearly offer a certain number of scholarships to selected candidates from India payable to them during their residence at a British University, a certain percentage of which scholarships should be reserved for the domiciled Anglo-Indian Community.

39496 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—We consider that it is advantageous because it procures a larger field of candidates. Such disadvantages as do undoubtedly exist under present conditions would be met if the suggestions detailed in our reply to question (2) were adopted.

39497 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—We consider simultaneous Examination thoroughly undesirable, because we are convinced that a British University training is essential to obtain the best class of men for administrative work in India.

39498 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—We consider that no distinction should be made between Natives of India and Natives of any other portion of the British Empire and hold that no appointments should be made other than according to the methods suggested in our reply to question (2), with the exception of the promotion of select officers from the Provincial Services. This reply is however given conditional on the views expressed in our reply to question (10).

39499 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—We totally disapprove of simultaneous examination.

39500 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—No other Natives of India except as suggested in our answer to question (7) should be appointed to the Indian Civil Service, and it should be left to the discretion of the Local Government and the Government of India to promote such selected officers as they deem fit.

39501 (11). Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—No, we consider executive experience absolutely a *sine quâ non* for appointment to the judicial branch of the Indian Civil Service.

39502 (13). If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons?—See reply to question (2). We consider 23 to 25 the best age for a man to start administrative work in India.

39503 (15). What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India and for other natural-born subjects of His Majesty?—We recommend no differentiation.

39504 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons?—We consider that no posts should of

necessity be reserved for members of the Indian Civil Service.

39505 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—We consider that it is absolutely essential that the distinctly British character of the administration should be strongly maintained and that this can only be done by the continued allocation of the higher posts of the Civil Administration to European subjects of His Majesty except under most rare and exceptional circumstances. We deprecate laying down any hard and fast rule regarding the relative number of Europeans and "Natives of India" holding posts in the Indian Civil Service cadre.

39506 (21). Do you consider that the old system of appointment of "statutory civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?—No.

39507 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—We consider the system satisfactory.

39508 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or statutory civilians, may be appointed to one quarter of the listed posts?—No suggestion as to proportion. The determining factor efficiency only.

39509 (26). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—Yes.

39510 (27). Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—No change.

39511 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the service?—Our reply to question (2) provides for this and if not approved would strongly recommend some system of probation.

39512 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—Four years.

39513 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—In India in all cases.

39514 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian services recruited in England?—Yes.

39515 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—At one centre.

39516 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—After leaving college as recommended in answer (2), present system is satisfactory.

39517 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—No deterioration.

39518 (38). Do you recommend any special course of study in law in India for officers selected for the judicial branch?—Yes, but no suggestion.

39519 (39). Do you recommend any special training in subordinate judicial posts in India for officers selected for the judicial branch?—No.

39520 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty?—No differentiation.

39521 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No differentiation.

39522 (47). Turning now to the case of the statutory civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the Service?—Yes.

39523 (50). Please add such other remarks as you may desire to offer on any point relating to the conditions of service, salary, leave, and pension in the Indian Civil Service?—An Indian Civil Service officer's contribution towards pension should cease after 25 years' service.

Written answers relating to the Provincial Civil Service.

39524 (51). Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or

have you any recommendations to make for their alteration?—We suggest that conditions should be so framed as to give preference to Indian candidates who have failed to pass the Indian Civil Service examination provided they have obtained the minimum number of marks.

39525 (57). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?—No change desirable.

39526 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—Yes.

MR. T. R. FILGATE, called and examined.

39527. (*Chairman.*) You are the General Secretary of the Bihar Planters' Association Limited, are you not?—Yes.

39528. I take it that you and Mr. Jamieson both speak on behalf of the Association?—Yes.

39529. What is the membership of the Association?—There are seventy concerns with about 300 members.

39530. Are they all Europeans, or are there any Indians?—Practically they are all Europeans.

39531. Are the opinions expressed in your written answers the opinions of the Association or of a Committee of the Association?—They are the opinions of a Committee of the Association. The district representatives gathered the views of their district and then met and answered the questions.

39532. You are also a member of the Legislative Council, are you not?—Yes.

39533. Is a large proportion of the land in Bihar occupied by planters?—Yes; a large proportion of the cultivation in Bihar is either indigo, sugar, or country crops, general cultivation.

39534. You propose a change in the system of recruitment, and would like to see nomination combined with the present competitive examination?—Yes.

39535. Do you express that opinion from any experience of perceptible deterioration in the Service?—We do not think there is any perceptible deterioration in the Service, but occasionally a man comes into the Service who is not suitable as an administrator afterwards. He may be a very clever scholar, but it does not follow that he turns out a good administrator in after-life; or, due to the strain of working for the examination, his health may have considerably suffered, and owing to that he is not able to work as he should. That is the idea we have got from our experience.

39536. You think a body can be formed that will have the faculty of prophesying the future of the candidates who are brought before them prior to the examination?—The selection board would be guided not entirely by scholarship; they would look not only at a man's moral character but his athletic character, and see that he was generally brought up as a young Englishman should be.

39537. You really think that a body of gentlemen could by that sort of selection do better than what is at present being done under the open competition system?—I think probably they would.

39538. Would you extend this system of nomination to the Indians who go up for the open examination in England as well?—Certainly.

39539. Then with a view of offering further facilities for Indians you propose a certain number of Government scholarships?—In cases where there may be a clever boy in a family, and the family is not well off, it would be only fair that Government in some way should assist the boys of the country, of whatever race they belong to. We are also of opinion that a certain number should be reserved for members of the Anglo-Indian Community. We look at it in this way. English parents in this country do all they can to send their children home to be educated, but there are many who are not in a position to do that and the boy has to be educated out here at some of the hill schools or other schools, and we think that a family like that, who might have a very clever boy at the top of the school here, should have an opportunity of giving him a training at a University at Home, and therefore we think that one or two scholarships should be reserved for such boys in order to give them a chance.

39540. Do you confine these scholarships to the Anglo-Indian community?—Certainly not. The scholarships should be given to the Indians in cases where they are required, where a clever boy is in a family which is not well-to-do.

39541. How many scholarships would you suggest should be granted each year?—We have no suggestion to offer on that; we simply put forward the proposal.

39542. As a principle of recruitment?—That is so.

39543. You suggest that successful candidates on arrival in India should go to a Central College to be established in India?—Yes.

39544. Where do you suggest that the College should be situated?—We make no suggestion about that.

39545. It would be one single College for the whole of India?—Yes, one single College for the candidates who came out, at which they would stay a whole year.

39546. Can you tell me what you have in your mind when you suggest this College as distinguished from an ordinary course at the Uni-

versity ?—The idea was principally for training in the vernacular, that they should get a thoroughly sound working knowledge of the language. We also suggest that they should combine with that a study of the Law. The main point of the College would be, however, to train young men in the vernaculars of the different Provinces to which they will go. After one year at the College the qualifying examination should be held, and if they were unable to satisfy the examiners they could put in a further year at the College and have a second qualifying examination. Any student failing then should be got rid of; that is to say, if after two years he could not satisfy the examiners that he had a good knowledge, not only grammatically but colloquially, of the language, it would be better to dispense with his services.

39547. Although he has passed the open competitive examination at Home ?—Even though he had passed the open competitive examination at Home, if he did not know the language of the particular Province into which he was going he should be sent away. The great difficulty now a young Civilian finds in learning the language is that when he comes out he finds so many of the clerks in the office speaking English and he does not get that practice in the colloquial language that the Civilian of a generation or two generations ago did get.

39548. Would you not find great practical difficulty in providing adequate teaching of all these various vernaculars in your College ?—That I am not qualified to speak about. It is only a suggestion we have put forward.

39549. I take it the suggestion is based upon the conviction of yourself and your Association of the necessity of young Civilians being able to talk the language well ?—It is absolutely necessary that a Civilian should acquire a perfect knowledge of the language.

39550. A better than they have at present ?—Yes. The planter of course has to learn the language immediately he comes out because he lives amongst the people of his tea gardens or indigo estate, and the whole of his work has to be carried out in the vernacular.

39551. Is it your experience that the officers in the Indian and Provincial Services in this Province are overworked ?—I do not know that I can say they are, but certainly nowadays a Collector of a district is unable to devote that time to moving about this district, seeing and getting in touch with the people, as he used to do when I first came out to the country. That is owing to the enormous increase of statistics and forms of office work. I have noticed myself in the years I have been in Bihar that the work has enormously increased, and I presume it has increased in the Sub-divisional Offices also.

39552. How many years have you been in the country ?—Thirty-seven.

39553. Of course the whole system of Government has developed immensely during your time ?—Yes.

39554. And there has been a corresponding increase of staff ?—The staff has been increased, but still they are so tied that the Collector and the Commissioner and the officials do not get the same time they used to have 30 or 40 years ago for touring through the districts and spending a great deal of time amongst the people.

39555. That you attribute more to the development of the system than to over-pressure of work upon the individual ?—Exactly.

39556. It is a change in the work which must come and it is inherent in the Government of the country ?—Yes, and every year it goes on increasing.

39557. We have had a good deal of evidence with regard to salaries, and I should like to know if you can say whether the Services are adequately remunerated or not ?—I have suggested in my written answers that the pay of the junior Civilian should be increased. The cost of living has increased very much even in this part of India within the last 10 or 15 years, and the pay that the young Civilian draws on joining is not sufficient, owing to that increased cost of living, for him to keep up that position he ought to keep up as a servant of the Government. For instance, instead of being able to keep a smart pony and trap on first coming out he has to use a bicycle. I think the young Civilian should get an increased pay.

39558. Would you say that in the country districts, with which you are conversant, the cost of living has increased appreciably of recent years ?—On our side of the river, in the Tirhut division, the cost of living has increased quite 30 per cent. within the last ten years.

39559. Is that a typical mufassal district ?—I should say it is.

39560. Do you find that many of the young Civilians come out married men ?—A certain number.

39561. Your Association would not like to see the age reduced ?—No; I think the present age should not be reduced.

39562. Do not you think that twenty-five, looked at from many points of view, is an advanced age for a young Civilian to enter on his career in this country ?—I think we say 23 to 25; not younger than 23 or over 25.

39563. If they came out younger there would be less chance of their being married early in their career, and I suppose that would be a great advantage ?—Certainly it would. I think it is a great mistake for any young European in any service to come out to India married. After he has been out and seen what the country is like it is another matter. A young man who comes out married knows nothing about house-keeping in India and there are always difficulties.

39564. (*Mr. Chaubal.*) What is the tenure on which you hold your tea-gardens ?—There are no tea gardens in West Bihar. I am speaking for the Tirhut Division where we have indigo, sugar

etc. There are various kinds of leases. A large proportion of the land is held on lease from the Zamindars, either a Makari lease, which is a lease which is practically in perpetuity, or a lease of seven, ten, or fifteen years.

39565. Have you a landlord over you who is the proprietor of the soil?—In a large porportion of cases the cultivation is held in that way; in some cases it is freehold.

39566. Do you employ the tenantry or does the landlord?—In many cases the planter becomes the Tikadar: he obtains the lease and pays a lump sum for a term of years, and collects the rent, and the people practically become tenants under the factory for the term of that lease.

39567. I suppose the tenants who are employed as labourers are employed for a number of years, or are they daily workmen?—A certain amount on the labour-roll is employed all the year round, and a large number of coolies are employed as the work requires at certain times of the year, according to agricultural operations.

39568. Has the cost of living increased for the workman?—The cost of labour has increased very much in the last ten years and the cost of living has increased a little, but very little. We have had one or two years when prices have run up exceptionally high, but they are coming down again.

39569. Have you found it necessary to increase their wages?—It has been necessary. Wages have been raised in Bihar, especially for skilled labour, carpenters, blacksmiths, etc., but that is due a good deal more to the fact that a large number of skilled men go away.

39570. Has the cost of living increased amongst the cultivators?—The cost of living must have increased. The railways have been developed in the last thirty years, and now a man would sooner go by rail than walk four miles, where he used to walk thirty. They are very much better clothed. Since the cigarette has come in every small boy smokes a cigaratte. They must spend more, and no doubt the cost in that way has risen. As the material condition of the people has risen the cost of living has risen also.

39571. We have had a large body of evidence to the effect that the administration work of the Indian Civil Servant as Head of the district is very well done and compares favourably with the work of officers twenty and twenty-five years back. If his work is well done, what does it matter whether he knows the language or not, provided that he knows enough of the language to do his work well?—I think it would be very much more advantageous for any official or any European to have a thorough knowledge of the language so as to be able to converse with the people he meets every day.

39572. The knowledge of English has largely advanced amongst the Natives, has it not?—Enormously.

39573. And that accounts to some extent for such deterioration as you find in the knowledge of the vernacular in the Civil Servant?—Is not the deficiency supplied by the larger numbers of English-speaking Natives. If he finds he can get his information and the assistance he wants through the knowledge of English which his staff and the people in general have, what does it matter if he knows less of the vernacular?—In taking evidence in Court it is very essential he should have a thorough knowledge of the languages colloquially. His work may be excellent now, but it might be improved if he had a thorough knowledge of the language.

39574. (*Mr. Madge.*) In answer to question (2) you say that scholarships should be given, amongst other classes, to members of the domiciled Anglo-Indian Community. I believe there is already one given every other year for the whole of India, and representative associations have been asking that this might be increased. Would you agree that the scholarships should be increased?—Certainly.

39575. You also think that Indians get a larger proportion already for technical training at home, and you think they should be increased?—I think so.

39076. Comparisons of an invidious kind are sometimes made between the one class and another on account of their numbers. Do you think that when any comparisons are made they should be made between the domiciled Anglo-Indians and the three hundred millions, or the domiciled community and the literate class of Indians, if it is necessary to make comparisons at all?—If there is an illiterate family and a boy of that family gets a good education he should be eligible for a scholarship.

39577. No one objects to any number of scholarships being given to Indians, but I have seen in the Indian Press objection to the Anglo-Indian community geting more scholarships than they do on the ground that they are a microscopic minority in comparison with three hundred millions. I do not see the need of making any comparison at all, but if it should be made, should it be made between the domiciled community and the three hundred millions or the domiciled community and the literate Indians?—Between the domiciled community and the literate, if any is made at all.

39578. You consider it absolutely necessary that the British character of the administration should be maintained?—Certainly.

39579. You say in answer to question (19): "We consider that it is absolutely essential that the distinctly British character of the administration should be strongly maintained." If there were any change in that character, do you think it would affect public confidence in the Government?—I certainly think it would.

39580. (*Mr. Abdur Rahim.*) Could there be any foundation for the suggestion that the plant-

ing community of Bihar would not be inclined to respect the authority of Indian officials?—I do not think so. The Bihar Planters are law-abiding.

39581. (*Sir Theodore Morison.*) Does your Association approve of the separation of the Executive and Judicial functions?—No.

39582. (*Mr. Maude.*) In answer to question (13) you say: "We consider 23 to 25 the best age for a man to start administrative work in India"; and later on, in answers to questions (32), (33), and (34), you say that there should be a period of probation which should be spent in India in all cases, whether Indians or Europeans. Do you include that period of probation as part of the start of administrative work in India, or do you count the start of his work from the end of the probation?—When he came out to this country after his three years at home he would spend a year out here and would then be 23 or 24 and go to his Collector as he does now.

39583. But his probationary period is to be in India, not in England at all?—He would go to his Collector and pass on to his sub-division, and after the four years' service, if he is unsuitable, he would be pensioned off.

39584. He would begin his administrative work at the age of 27?—No. The idea under this is that when he leaves College he would be about 24 and he would then spend a certain time with his Collector and at 25 he would go to his sub-division.

39585. He would come out at the age of 21 then?—Yes, he would come out about 21.

39586. I thought you meant he was to come out at from 23 to 24 and have two years in this country?—No.

39587. An Indian coming out under these conditions would get no period of College life in England at all?—He would, because he would enter at 18 and have his three years at College at home, getting his training just at an impressionable age.

39588. In your reply to question (50) you say that an Indian Civil Service officer's contribution towards pension should cease after 25 years' service. Have your Association any particular reason for taking up that question?—We understand that when an official remains after his 25 years and rises very high in the Service he practically provides the whole of his own pension and gets a very small pension from Government. We consider that the contribution to pension should cease after 25 years' service or that the pension of very high officials should be increased.

39589. In your answer to question (36) you say there is no deterioration in the language proficiency in those who have come out during recent years, but I understand from your answers here that you have modified that opinion?—We do not consider there has been any deterioration within the last 15 to 25 years. I think in my answer I said that owing to the increase of the English language the young Civilian has not the same opportunities of acquiring that knowledge of the language that he had many years ago.

39590. Do you consider in your part of the world that after three or four years' service, when a young Civilian goes out to his work in the villages, he has a sufficient knowledge of the language to be able to take up a case and converse freely with the villagers and find out all about the case?—Not always, but he has a certain knowledge of it, though not a really thorough knowledge after three years. He begins to pick it up when he goes out to his sub-division, where he picks it up much quicker than he does at the Sadar.

39591. (*Mr. Hussain.*) In answer to question (51) you suggest that the conditions of the Provincial Civil Service should be so framed as to give preference to Indian candidates who have failed to pass the Indian Civil Service examination, provided they have obtained the minimum number of marks. In answer to question (2) you have suggested a certain altered system of competition, namely, competition mixed with nomination. Am I to understand that these unsuccessful candidates are to be the product of the system you suggest in answer to question (2), because in that answer you provide certain safeguards, certificates of moral character, physical, and social position, etc. Is it with these safeguards that you would recommend unsuccessful candidates of the Indian Civil Service to be taken into the Provincial Civil Service, or is it the product of the ordinary Civil Service examination as now held?—We have considered the safeguards.

39592. You have not forgotten the safeguards in this answer?—We certainly had not forgotten those safeguards.

39593. In your answer to question (27) you propose no change in the listed appointments. If I tell you that the Registrarship of Co-operative Credit Societies has been thrown open to a Member of this Service in Bengal, and with very good results, would you be prepared to modify your answer?—I do not think I would.

39594. If you were assured of good results would you be prepared to throw open that post here?—I do not think so.

39595. Why not?—The Co-operative movement is doing a wonderful lot of good. It is "catching on" now.

39596. It has been doing a wonderful lot of good in Bengal. If you were satisfied about the results there would you accept it here?—If I am satisfied with the results of the experiment there, certainly.

(The witness withdrew.)

(Adjourned till to-morrow at 10-30 A.M.)

At Patna.

Wednesday, 26th March, 1913.

THIRTY-NINTH DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

SIR MURRAY HAMMICK, K.C.S.I., C.I.E.
SIR THEODORE MORISON, K.C.I.E.
MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.
ABDUR RAHIM, Esq.
WALTER CULLEY MADGE, Esq., C.I.E.
HERBERT ALBERT LAURENS FISHER, Esq.

And the following Assistant Commissioners:—
WALTER MAUDE, Esq., I.C.S., Member of the Board of Revenue.
KHAN BAHADUR ASHFAQ HUSSAIN, Deputy Magistrate and Deputy Collector.
NARENDRA KRISHNA DATTA, Esq., B.L., Officiating Additional District and Sessions Judge, Shahabad.

M. S. D. BUTLER, Esq., C.V.O., C.I.E. (*Joint Secretary*).

CHARLES E. A. W. OLDHAM, ESQ., I.C.S., Commissioner, Patna Division.

Written answers relating to the Indian Civil Service.

39597 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—In my opinion the present system of recruitment does not attract the best men available to the Service. In the present conditions in India, perhaps more than at any previous period of our administration, there is a demand for the highest qualifications and training in the members of the Civil Service. The duties devolving upon Civil Servants are becoming more difficult and more onerous with the intellectual development of the people and the diffusion of political ideas based upon western principles. On the other hand, the intrinsic attractions of the Service have been rapidly waning of recent years. Some form of open competition is no doubt essential, and I cannot recommend any system which would altogether do away with open competition; but I would prefer a system combining open competition with selection by an experienced and representative board of commissioners, if such a system could be suitably established. The British Government is responsible to the people of India for the just, impartial and efficient administration of the country; and the success with which it discharges this responsibility, and maintains the best traditions of our race, rests very largely, if not entirely, upon the personal character of the men employed by it to carry on the administration, and chiefly of the men in the Indian Civil Service, who give a tone to all departments of the Government. England and India are bound together by indissoluble ties, and with due regard to the best interests of both countries, Government cannot afford, without the gravest risk to allow the popularity of the highest service out here to decline as there are abundant reasons for believing that it is doing at present, or to permit the class of men admitted to that service to deteriorate. The causes of this falling off are numerous. There is the heavy fall in exchange that has reduced the value of the remittances to England. There is the rise in prices in India, and in the cost of living generally—there has been an enormous increase in this respect since the existing scales of pay and pension were fixed. Meanwhile the average earnings of most other English professions have increased, and the scales of pay and the prospects of most of the other services in this country have been improved. Owing to the rapid extension of organised Government on systematic and highly centralised lines, and the almost universal adoption of rules prescribing the minutest details of procedure, there is not the same scope for the display of individual talents or the exercise of personal initiative that in former days stimulated the ambition and roused the enthusiasm of young men fresh from school and college. At the same time there has been an enormous increase in monotonous desk work and duties that have little to inspire interest or kindle zeal. On the other hand, there are the increasing attractions of other professions at home and abroad. Then there are the very altered conditions of life and work in this country, largely due to the premature encouragement given to *quasi*-democratic ideals foreign to the genius of the people, and the widespread canker of sedition and anarchy. There is an apprehension that appointments to coveted

prize posts may in future be filled in a different manner from what has been the practice in the past. There is a growing feeling that the interests of the Service do not receive the consideration that they deserve, and that they used to receive. The Service has for many years now been exposed to much unjust, hostile and malicious criticism, which the members are either unable from their position to reply to, or scorn to repudiate. In a section of the Native press a deliberate and persistent attempt has been made to throw discredit upon the Service. These drawbacks have been made widely known at the Universities, and the knowledge is bound to affect recruitment adversely. Though the result of such altered conditions takes time to manifest itself, it is none the less certain. The Indian Civil Service has lost favour, and the sooner this favour is restored the better for India. This can only be done by removing the causes of detraction, and offering such conditions and prospects of service as will induce the best men to come out.

39598 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest ?—I think the present age limit is too high, and that the conditions and prospects of service require to be made more attractive to ensure the recruitment of the high class of candidates essential in the interests of the Empire. The suggestions which I have to make will be found in the answers to the subsequent questions.

39599 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend ?—Natives of India who have not the means to go to England are at a disadvantage. I would like some system established by which Government might be able to afford facilities to promising young Indians of respectable origin and of good character and antecedents to present themselves at the competitive examination. It is not an easy matter to suggest a definite scheme towards this end. It is a question that would need to be thoroughly worked out by a special committee. The following rough idea has suggested itself to me. That a special college be established by the Government in India at a healthy and suitable centre for the special training of promising young Indians, to be nominated by the educational authorities in the several provinces, in the subjects prescribed for the open competitive examination. The Head Master and Masters should be specially selected, some from England and some from among the members of the Indian Educational Service (Imperial). Generous terms should be offered them, so as to secure the services of some of the best educationalists available. Boys should be admitted at an early age, between 13 and 15. Training, intellectual, physical and moral, should be given on the best English lines. The most promising students of this College, having regard to all qualifications, as well as having regard, as far as practicable, to the representation of the different communities and classes, would be sent to England so that they might appear at the examination in London. Their passage money should be paid, and a sum of money given in addition to meet incidental expenses and the cost of living for a certain period in England. Those who fail to pass into the Indian Civil Service might be drafted into the Provincial Service of their province, provided that they obtain a certain minimum of marks in the competitive examination. Some such condition would be necessary to guard against abuse of the concessions made.

39600 (4). Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?—I do not think so.

39601 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—In view of my proposal as to the age limit, I am not in favour of the combination of the examinations.

39602 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(*a*) Selection by headmasters of schools approved or otherwise; (*b*) Selection by authorities in universities approved or otherwise; (*c*) Nomination by headmasters or University authorities and selection under the orders of the Secretary of State; (*d*) Combined nomination and examination; (*e*) Any other method?—I would prefer a system of open competition combined with selection by an experienced and representative board of commissioners. In making selection, consideration should be had to heredity, up-bringing, school education, reports of tutors and headmasters and other persons holding responsible posts who have been acquainted with the candidate from childhood, physical qualifications, manners, any distinguished service to the State (especially in India) by father or other near relative, etc.

39603 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am not in favour of such a system. The holding of simultaneous examinations is not compatible with the principle accepted by the Government of India and the Secretary of State, *viz.*, that members of the Indian Civil Service should be men trained in the highest and best form of English education. The advocates of simultaneous examinations practically give their case away by the admission that candidates who are successful in passing the examination in India should go to England for a course of training. This amounts to acknowledging that such candidates are deficient in a kind of training that cannot at present be obtained in India. The real effect of simultaneous examinations would be to create two divisions in the Indian Civil Service, *viz.*, (*i*) those recruited in England, and (*ii*) those recruited in India. The latter class would come to be regarded as of an inferior standing; and the feeling of inferiority attaching to this class would react unfavourably upon the class recruited in London. The inevitable result would be to destroy the integrity and

the *esprit de corps* of the Service—by *esprit de corps* I mean that jealous regard for the honour of the Service as a whole which has been in the past one of the strongest incentives to maintain a high standard of devotion to duty. There would be virtually created a privileged service in India, *i.e.*, a service with higher privileges and emoluments, but drawn from exactly the same classes as the Provincial Civil Service, and of practically the same calibre. Moreover, certain of the prize appointments to which the Provincial Civil Service now look forward would have to be withheld from the latter Service, thus causing discontent and dissatisfaction. Not only, therefore, would the effect upon the Civil Service be mischievous, but the system would also be detrimental to the interests and to the *morale* of the Provincial Civil Service. The idea underlying the cry for simultaneous examinations appears to be to obtain a larger proportion of posts for Indians, at all costs, even to the detriment of good government. No suggestion is made by the most clamant advocates of the proposal to raise the Indian standard, even though admitting that it is lower than the English standard, but they counsel a system which would only have the effect of levelling down the whole Service eventually to the Indians' standard. By all means let more Indians enter the Service when they have reached the standard to be aimed at; but do not open the gates wide to pass inferior material, simply because it is Indian and not English. Do not sacrifice the ideals of quality to mere quantity. The establishment of simultaneous examinations would make the Indian Civil Service even less attractive than it is now; it would aggravate the disinclination of the more promising men to seek admission; it would tend to accentuate, rather than mitigate, distinctions between Englishmen and Indians; and it would not be in the interest of the best ideals of education in India. My view, then, mounts to this, that it would lower the standard of the Service generally; and Government must consider what the effect of this would be on the administration as a whole, and on the commercial and industrial development of the country. Would it serve the best interests of the masses. Would it foster moral and material progress? Would it tend to the more impartial administration of justice—to the better preservation of law and order? These are questions that demand earnest consideration. Under the existing system of administration it is the members of the Civil Service who have the best interests of the masses at heart; it is they who are looked to by the people to hold the balance between conflicting interests of religion, race and caste, to protect the weak and poor from the tyranny of power and wealth, to defend the *raiyat* against the ruinous exactions of the landlord, the private person from the extortions of petty officials, and to secure to all the profits of their own industry and trade. If the confidence of the people be shaken in the ability and inclination of the district officers to afford such protection and safety, a feeling of insecurity will rapidly spread, and cultivation, trade and progress generally will be checked. Another drawback to instituting a system of simultaneous examinations is that it would most probably result in a preponderance of appointments falling into the hands of particular races or classes, to the exclusion of other very important communities; and it must be remembered that race and class prejudices are deep-rooted and persistent in this country. Moreover, there are many practical difficulties in the way of holding the same examination simultaneously in India. We have had so many instances of examination frauds in India. I notice that one witness went so far as to suggest that the examination in India should take place a fortnight after that in England. For obvious reasons this is out of the question. Then there is the difficulty of *vivâ voce* examination, which I, and most others who have had anything to do with the examination of candidates, regard as of paramount importance. Throughout the discussions on this subject there has been a tendency—much to be deprecated—of making the matter a racial question, instead of realising the fact, known to almost all who are in touch with the system of administration, that the crying want is an increase in the number of officers both European and Indian, and chiefly in the Provincial and Subordinate Services. Officers of the Executive and Judicial lines are nearly all overworked at present; and to this excessive work many of the shortcomings of officers in regard to knowledge of the languages, acquaintance with the people and their views and aspirations, etc., are due. The people who advocate these proposals, moreover, do not appear to have considered what the effect would be in future years, in view of the very rapid emancipation and education of the "Sudra castes." A purely competitive examination is not the best way to recruit men in India for appointments requiring the exercise of special qualities. Other attributes are even more important than mere intellectual capacity to pass examinations for the discharge of the duties falling upon the members of the Indian Civil Service, such as virility of mind and body that make for courage to act promptly and assume responsibility, administrative ability, including efficiency and power of control, impartiality and integrity. This subject has already been very fully considered in connection with the recruitment of the Provincial Civil Service, and the Government of India in 1904 came to the conclusion that the system of competitive examination is not a suitable or satisfactory system of admission to the Government service in this country. In Bengal, the competitive system was deliberately abandoned after many years' trial. The arguments will be found in the correspondence of the time.

39604 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—I consider that the open competitive examination should be held at the one most appropriate centre, *viz.*, the capital of the Empire.

39605 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do

you recommend?—I am not in favour of this proposal.

39606 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that, whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—In my opinion any such method would tend to lower the Indian Civil Service in the estimation of the public. It is most undesirable that any system should be adopted which would have this effect. The different communities and classes should, as far as practicable, be represented, if the confidence of the public is to be retained. By the public I mean the mass of the people of this country, who look up to the higher officers of Government to preserve their interests impartially and protect them from oppression and injustice.

39607 (11). If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—I would certainly not propose to go back upon the arrangement by which "Natives of India" are eligible for appointment in England.

39608 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—No.

39609 (13). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service?—No.

39610 (14). Are you satisfied with the present definition of the term "Natives of India" in Section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—I think the present definition may be allowed to stand.

39611 (15). If the system of recruitment by open competitive examination in England is retained, please state the age limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—I would recommend that the age limit for candidates at the open competitive examination be fixed at 17 to 19, with a view to attract candidates of the normal school-leaving age in England. In this way only do I think the best candidates from the public schools will be captured, before they have been allured by other professions. It is desirable in my opinion to excite the ambition of candidates from an early age, when they are more likely to devote themselves whole-heartedly to their career in India, and when, even if they fail to pass the open competitive examination, they will still have time to turn to some other career. A large proportion, moreover, of the young men whom we should encourage to compete cannot afford to wait for three or four years on the chance of securing a place by open competition. By fixing the later age limit many of the best men will slip through our hands. As Sir C. Trevelyan put it, "The man of first-rate power who has once tasted the sweets of University success will never be persuaded to give up his English hopes. At 22, in the full conceit of a glorious degree, in the full view of a Trinity or Merton fellowship, who would consent to exchange the Common Room *in esse*, and Downing Street *in posse*, for the bungalow and the cutcherry?" By coming out at an earlier age, a young man is more easily acclimatised both bodily and mentally; he is more adaptable to the strange environment, and better able, as an experienced educationalist in India expressed it, "to make himself so much of an Oriental that by the vibration of his own feelings he can say how the measures of Government will affect his fellow-men." The members of the Civil Service should be in touch with Indian sentiment and with the current thoughts of the people around them. There are few stronger incentives for a man to put forth his best efforts than a feeling of high responsibility devolving upon him at an early age. Men of maturer character coming out to India at 24 or 25 are more independent of advice and guidance, less ready to assimilate the teaching of their surroundings, and unless successful in their career towards the very outset, they are apt to become disgusted with the work, and even to dislike the country. The drudgery of the first years of a young Civilian's life is more irksome or distasteful to them. They more frequently, moreover, come out engaged or married; and this is a serious drawback to a young officer at the most critical period of his career, as tending to impair his efficiency—often clogging him with debt. It is generally considered that the Natives of India have a better chance of passing the open competitive examination when the limit is fixed at a younger age. There can be no objection, therefore, on their part to the proposal. Besides this, account must be taken of the increasing number of Indian boys who are now being sent to England very young, with a view to their being educated there from the earliest school-going age upwards. It is probable that in the future the numbers of such will increase, and that we shall thus obtain a large number of Indians in the service who have had a thorough training on English lines. The prejudices

against going to England are rapidly dying out.

39612 (16). What is your experience of the relative merits of the candidates selected under varying age limits, particularly under the systems in force from 1878 to 1891 (age limits 17—19 years, followed by two or three years' probation at an approved University) and since 1891 (age limits 21—23 or 22—24 years, followed by one year's probation) ?—My experience is in favour of the younger age limit, followed by two years' probation. I think that the candidates who came out under that system received a better grounding in the subjects of essential importance to their duties in India, and took a keener interest in their duties out here and in the country generally.

39613 (17). What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service ?—I think there is evidence of falling off.

39614 (18). What is the most suitable age at which junior Civilians should arrive in India ?—I would say about 22, or in other words when over 21 and under 23.

39615 (19). What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India" and for other natural-born subjects of His Majesty?—The general view is that the younger age-limit is the more advantageous to Natives of India; but I have heard some opinions to the opposite effect. I recommend no differentiation between the age-limits for Natives of India and for other natural-born subjects of His Majesty.

39616 (20). On what principle should the subjects for the open competitive examination be fixed ? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period? —I accept the principle laid down by Lord Macaulay's Committee in 1854.

39617 (21). Please examine the table in Appendix I to these questions, which shows the various phases of the authorized syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (*a*) of school-leaving age, and (*b*) of University-leaving age ?—I prefer the syllabus* for the 1892-1905 period, but I would add Persian Language and Literature as an additional subject. I consider that a knowledge of the Persian Language and Literature is more useful to an Indian Civilian than that of Arabic. I would also raise the maximum number of marks allotted to Sanskrit, Arabic and Persian to 600 each, with a view to encouraging the study of these languages at an earlier age. In this answer I take the age limit as 17 to 19. I understand that no *vivâ voce* † examination is held at present. I regard an oral examination as of paramount importance, as testing qualities in an examinee that cannot be judged from written answers.

39618 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates ?—No.

39619 (23). Do you consider it necessary that certain posts should be reserved by Statute for officers recruited to the Indian Civil Service and, if so, what posts and for what reasons ? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions] ?—Yes—"Salt Agents" and "Controller of Salt Chowkies" may be left out. Otherwise I am of opinion that no change is required in the schedule. Sections 3 and 4 of the Act of 1861 and section 6 of the Act of 1870 give sufficient power in exceptional circumstances.

39620 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration ? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted ?—I hold it to be absolutely essential still, in order to maintain the high standard and efficiency of the Indian Civil Service, to guarantee the British tone in the administration, to preserve law and order, and to hold the balance evenly between the many discordant elements, racial, religious and material, to maintain a large proportion of Europeans in the higher posts of the Civil administration. I do not consider it to be either desirable or advisable to fix any rigid proportion, which must necessarily depend upon a consideration of many variable factors at any particular time. The fact remains that the British are responsible to the people for the good government of the country; and it is a fundamental axiom of constitutional government that responsibility and power must vest in the same hands. There should, on the other hand, be a fair proportion of Natives of India in the Civil Service, and I am in favour of gradually increasing the number of Indians in the Service as men with the necessary qualifications become available. I would afford facilities for the acquisition of these qualifications. [See also answer to question (3).] It should lie with the Government of India to say from time to time whether the proportion of Europeans can be decreased.

39621 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly

* So far as the subjects are concerned. The detailed course should be worked out by a special Committee, on which some retired members of the Service should sit.

† Except perhaps in modern languages.

through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the India Civil Service Act, 1861 (24 and 25 Vict., c. 54)? Do you recommend any alterations in this system and, if so, what?—The only suggestion I have to make is that contained in my answer to question (3) above. As regards section 6 of the Act of 1870, I am not satisfied that the system authorised thereby has had a very thorough trial. I readily admit that some, at all events, of the officers appointed under the rules framed in accordance with this section by the Government of India were failures, but I do not consider that it follows from this that the principle was at fault, but rather that suitable candidates were not available at the time, or if available, not chosen. At the same time, several of the officers that were appointed undoubtedly disclosed the same disabilities that attach to most of the members of the Provincial Civil Service. I attribute this largely to inherent disposition and the want of character training. I feel that something might be done to supply this want by establishing an institution on English lines in this country for the training and education from boyhood of young Indians of good stock and antecedents.

39622 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—See answer to question (25). The power is there: suitable opportunities may arise in the future for its application. I would not make any general use of the Statute.

39623 (29). What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your province? Please distinguish in your reply between (*a*) military officers, and (*b*) others; and give details of the latter?—There are no such officers in this province. I have not come into official contact with such officers: but many of the most honoured names in the annals of Indian administration were military officers.

39624 (31). If the system of recruiting military officers in India has been stopped, or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent should it be adopted?—I do not recommend the re-introduction of the system under present conditions.

39625 (37). Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(*a*) to the members of the Provincial Civil Service; and (*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?—It has not given satisfaction to the members of the Provincial Civil Service. At present it involves friction. The listed posts, properly speaking, now mean only the "Superior" listed posts and such inferior listed posts as Under Secretary to Government. The only advantage to the Provincial Civil Service is that they have obtained an increase to the higher grades of their cadre. The advantage to Government arises from the fact that if the designation of Joint Magistrate and Assistant Magistrate had been retained it would have encouraged those so designated to assert a preferential claim to the higher listed appointments, whereas Government did not wish to be fettered in any way in their choice, but wanted power to appoint to the superior listed posts solely by selection on account of proved merit and ability.

39626 (38). Is the class of posts listed suitable?—Yes.

39627 (41). Are there any other ways in which "Natives of India" are appointed to your province to Civil Service posts?—No.

39628 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—I regard a probationary course of instruction in England to be essential. It should, however, be a three years' course. A period of one year's probation is in my opinion wholly inadequate, and practically useless.

39629 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—I recommend a 3 years' probationary course, under the modified system already suggested.

39630 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—Yes.

39631 (46). If so, do you advise the selection of one or more Universities for this purpose and for what reasons?—I think the two Universities of Oxford and Cambridge should be selected. The 3 years' course of training recommended by me would necessitate special arrangements, and these can best be made at one or two Universities, and not at a larger number. Moreover, it is possible that all the chief Universities might not be prepared to undertake to provide the special tuition necessary. It is also desirable that the candidates should receive their training at what are recognised as the premier Universities in England. The course should be linked up as far as practicable with the University lectures, so that there may be less tendency for the Indian Civil Service probationers to form a class apart. I would like to see established a 3 years' course leading to a degree in Oriental Studies, which could be taken up by other undergraduates contemplating service in India or the East, *e.g.*, in the Indian Educational or Police services, or in private service in the East.

39632 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—Yes. I recommend an allowance of £150 *per annum*, on conditions similar to those in force up to 1891. This would operate as an additional encourage-

ment to young men to go in for the Service. Though this allowance would not fully cover the charges incidental to a University career, it would be a very material help. On passing out finally, a first class passage to India should also be provided by Government.

39633 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—I do not think this is necessary if the best of the Universities will agree to arrange for the courses of study required.

39634 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—I do not consider it necessary to lay down a principle of this nature, in view of the definite proposals I have made above. It is a matter of opinion, moreover, whether a young man at the age of 19 can be said to have completed his general education. Nor do I think it can be said that the training and instruction given at a University, and the influences and associations of a University life, during the 3 years of probation, will not have an effect upon the "general education" of a young man.

39635 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you?—As I recommend a three years' period of probation, the course of studies would have to be widened and amplified. I am not prepared to frame a detailed syllabus: there would be no difficulty however in doing this. I shall merely say here that attention should be devoted to the classical and current languages of India and to the history, ethnology, religions, philosophy and customs of India. Special attention should be devoted to the political and economic history of the last two centuries, and to the careers and views of some of the best administrators. I have always regarded it as a serious omission that young Civilians are not compelled to study the biographies and writings of men like Munro, Malcolm, Elphinstone, Metcalfe, Sleeman, the Lawrences and Herbert Edwardes.

39636 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts?—I am of opinion that attendance at Law Courts should be enforced, as was done in the 1878-1891 period. Hindu and Muhammadan law should be part of the curriculum. I attach the utmost importance to a thorough grounding at an English University in the grammar and syntax of the Oriental classics and modern languages and the study of text-books in the literary language. It is not possible to obtain an equally scientific and systematic training in this country. Colloquial instruction should be left to be acquired in India. Indian Geography may be combined with Indian History. Instruction should be given in Political Economy; but I certainly do not recommend that Accounts should be added as a subject for the probationary course in England.

39637 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—In England.

39638 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—There are many practical difficulties in the way of this proposal, and many objections to it. I think that the period of probation should be spent in England, and that one year's further training should be given in India. It may be suggested, perhaps, that this one year's training should be given at some central college in India. The conditions in the different provinces, however, are so varied, the peoples and languages, religions and customs, so many and so distinct, and the system of administration and even the methods of work so divergent, that I do not consider this would be practicable or advisable. I would prefer that the first year's training in India should be given at provincial centres, under a Civilian specially selected for his knowledge of the country and the people, their languages, religions and customs, and for his success as an administrator. The importance of young Civilians being subjected to good influence at the start of their career in this country cannot be over-estimated.

39639 (55). What is your opinion of a proposal that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—Assuming that the "probationary" period is spent in England, I think the proposal is a good one; but if such centres are formed the instruction and training given should not be confined to young civilians; it should be available for all young officers appointed from England, *e.g.* to the Police, Education and Public Works Departments, etc. See also my answer to the last question. The training in question must not, however, be confined to the four walls of a college. The young men must move about in the mufassal somewhere, so as to be in touch during this period with the actual working in practice of the administrative machine, and with the conditions of rural life.

39640 (56). In the report of the Treasury Committee appointed to consider the organisation of Oriental Studies in London (1909), the

view is taken that the preliminary training in Oriental languages and in Law required by probationers can be given better in England than in India, because of the difficulties which junior Civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—*Preliminary* training in Oriental languages can be given better in England. There are not the same opportunities in India for obtaining a thorough and scientific grounding as there are at the English Universities. The foundation should be laid in Europe; the superstructure can be built out here.

39641 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No.

39642 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—I am not satisfied with the present system. I think it might be improved and amplified. I would like to see a specially selected officer deputed for the purposes of this training in each province. The average Collector has not sufficient leisure now-a-days from his own duties to give adequate attention to the training of the junior Civilians posted to his district. (See also answers to questions (54) and (55).)

39643 (61). Is the existing system of Departmental examinations suitable, and if not, what change do you recommend?—I regard the present system of departmental examinations as unsatisfactory. I would much prefer a year's training under a specially selected officer, with one examination at the end of it. The examinations should be held at a single centre in each province. The Bengal system of holding these examinations at each Divisional headquarters led to serious abuse in my opinion. The standard was often very different at different centres. The system of examination in languages requires to be overhauled.

39644 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—I do, most decidedly. The causes are many. Among others the following may be cited as the chief:—(*i*) The enormous increase in desk work, which prevents an officer from moving about his district and coming into contact with the vernacular-speaking population as much as he used to in the old days. (*ii*) Inadequate encouragement on the part of Government. I mean by this that at present Government does not take sufficiently into consideration at the time of promotion or at the time of appointment to the more coveted posts the familiarity of officers with the vernacular languages. (*iii*) The spread of the knowledge of English among clerks and subordinates of all departments. (*iv*) The frequency of transfers. (*v*) The greater facilities for spending leave out of India. (*vi*) The tests applied at the departmental examinations have not been sufficiently thorough. (*vii*) The men coming out under the later age limit do not seem to take the same interest in learning the languages thoroughly. The older a man grows, the more difficult it is for him to pick up a colloquial knowledge of a language. They have not, besides, had the same grounding in the languages, under the one-year probation system. Officers do not always attain to an adequate proficiency in the Indian languages. I consider that it should be a recognised principle that promotion will depend more largely upon proficiency in the languages than has hitherto been the case. I have known officers in the highest position who could not converse intelligibly with an Indian gentleman of the old school who does not know English. There are some officers who pride themselves on knowing what is termed the *ganwāri*, or vulgar dialect, and who cannot speak correctly the vernacular languages of the upper classes. It is most essential that members of the Civil Service should be able to converse in the polite vernacular with Indian gentlemen, as well as in the dialects with the lower orders of society. An officer can never be in complete touch with the people unless he can converse in the vernacular fluently, and unless he understands the subtleties of the language. If a three years' course at the University is prescribed, the thorough grounding received during this period in the languages will go a long way to remedy the defect. It will be much easier to acquire colloquial proficiency thereafter. After the first year's training in India, the examination in the vernacular, especially the oral examination, should be held by a thoroughly competent examiner. Language leave should be allowed for study for the High Proficiency and Degree of Honour examinations in the vernaculars, and some special consideration should be shown to officers who pass these examinations.

39645 (63). Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and if so, what changes?—No; except what I have suggested in my answer to the last question.

39646 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—My view is that the members of the Civil Service should be called upon to elect between

the Executive and the Judicial branches of the service after they have completed 5 (five) years' service. If an officer elect for the Judicial branch, he should be appointed to act as a Munsif for a short period, say of 6 months or so. On his completing 6 years' service he should be granted furlough to Europe, sufficient to enable him to study in chambers under a selected barrister, and be called to the Bar. On his return to India he should perform the ordinary duties of a Subordinate Judge for a time. Thereafter he would be eligible for appointment as a District and Sessions Judge. I am not in favour of officers electing between the two branches of the Service at the commencement of their probationary course in England. I consider that the general course of subjects prescribed for the probationary period are as essential for Judicial officers as for magisterial and executive officers. During the probationary period all officers would get a thorough grounding in law and obtain a practical acquaintance with the procedure and working of the courts by attendance at the Law Courts. I think that during the first 5 years of their service in India, all officers, including those who will ultimately join the Judicial branch, should have a thorough training in magisterial, revenue and executive duties, and that all should have a training in Settlement work. The knowledge and experience of the people, their languages and their religious and social customs, their systems of agriculture and the ordinary conditions of rural life in this country thus acquired are of primary importance, and essential for the just administration of the laws. While making these proposals for improvement, I do not for a moment admit that members of the Indian Civil Service ordinarily make bad Judges. Some of the best Judges on the High Court benches have been Civilians; and ordinarily I think they are the better Judges of fact.

39647 (65). Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—No.

39648 (66). Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch? If so, please give details?—I do. I think that officers who elect for the Judicial branch of the Service should be required to perform, for fixed periods, the ordinary duties of a Munsif and of a Subordinate Judge.

39649 (67). Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?—No; except the encouragement suggested in the answer to question (64).

39650 (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty?—No.

39651 (70). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals.—No, except that persons of unmixed Indian descent will not require instruction in their own vernacular.

39652 (72). The present theory underlying the conditions of service in the Indian Civil Service is that—(*a*) the members of the Service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—I do not recommend any change.

39653 (73). It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior posts," and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?—I do not recommend any change.

39654 (87). Are you satisfied that under the existing system of promotion, the interests of individual officers and of the administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I recommend that the Secretary of State should have power in special cases to retire compulsorily officers who, after prolonged trial, are found inefficient. There is a good deal of feeling in the Service that when selection for special appointments is made, the local officers are frequently not consulted, and such selection is liable to depend upon the personal views of officers at headquarters, who are perhaps not thoroughly acquainted with all the material available. It is thought, for instance, that when the choice for a particular post will fall upon an officer in the grades of Collectors, all Commissioners should be consulted, and that when the choice must fall upon an officer in the grades of Joint or Assistant Magistrates, the Collectors should be consulted through the Commissioners. It is most undesirable that there should be any possibility of a suspicion that personal fancies are allowed to operate in such selection, or indeed that any considerations are permitted to have influence except that of real merit.

39655 (88). To what extent are the functions of the officers of the Executive and Judicial branches of the Indian Civil Service differentiated? Is any change desirable and, if so, in what directions?—I recommend no

differentiation during the first five years. After that, I think officers intending to adopt the judicial line should specialise and be confined to judicial work. See also answer to question (64) above. At present the differentiation practically takes place when a member of the Civil Service is first appointed to act as a District and Sessions Judge, as after that he usually holds only judicial appointments, though the election by officers between the two branches takes place in the 13th year of service. I deprecate the complete separation of "judicial" and executive functions in this country, as being contrary not only to all tradition but also to the deep-rooted sentiments and habits of the masses. The country is not ready for such an arrangement, though the principle underlying the proposal may be correct in theory according to Western ideas. At the same time I strongly advocate the proper training of judicial officers. I think the District Magistrates might be relieved of the functions of an appellate court from the decisions of Magistrates of the 2nd and 3rd classes, and the hearing of such appeals transferred to the Sessions Court or to an Additional Sessions Judge. An officer who has elected for the judicial branch of the Service, and who has been through the special training in England suggested in the answer to question (64) above, might suitably be vested with such appellate powers. I would, in so far as the District Magistrate, who is, and who must remain, the head of the police, is concerned, make the provisions of section 191, Criminal Procedure Code, applicable to police reports under section 190 (1) (*b*) of the same Code. I would also agree to the District Magistrate being relieved of the trial of cases. Otherwise the District Officer should continue to be the head of the magistracy in the district. [See also answer to question (18) relating to the Provincial Civil Service.]

39656 (92). Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—I think the gap between the present first grade of Joint Magistrates on Rs. 900 and the lowest grade of Collectors on Rs. 1,500 is too wide. A grade of Joint Magistrates on Rs. 1,200 would meet the want in this respect.

39657 (93). If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts or to both?—See last question. There is a good deal of dissatisfaction also as to the pay of the 3rd and 2nd grades of Magistrates, *viz.*, that the pay should be raised in these cases.

39658 (94). Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your province, and if so, what?—There should be uniformity of payment for similar kinds of work in all the provinces, *as far as practicable.* See also answer to the last question.

39659 (95). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—The exchange compensation allowance should only be abolished if the rates of pay be correspondingly increased. If this be done the change may be introduced at any time.

39660 (96). If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the Service who now draw no exchange compensation allowance?—Members of the Service whose domicile is in India should not get exchange compensation allowance or an increase of salary in lieu of exchange compensation allowance; but if the rates of pay be increased all round, all members of the Service should be treated alike.

39661 (97) How does the system of acting allowances work in the case of officers selected to officiate in appointments involving increased responsibility? Is it productive of any inconvenience and have you any suggestion to make on the subject?—I accept the system, and have no suggestion to make.

39662 (98). How is the system of officiating grade promotions, where there is no change of duties, actually worked? Is the system convenient in the interests both of the Government and of the officers of the Service? Have you any recommendations to make for its alteration?—Though it involves considerable clerical labour, the system works smoothly, and I accept it as satisfactory.

39663 (99). What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service or not?—I am not in favour of a time-scale in the case of the Indian Civil Service.

39664 (101). What is your experience of the practical working of time-scales of pay in other Indian services?—I think it tends to check the display of zeal.

39665 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the Service?—I approve of the present arrangement.

39666 (106). Is there any reason to suppose that officers of the Indian Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—This is a question that should be answered by the Secretariat. I am inclined to think that leave is taken at more frequent intervals than it was 20 years ago, but that less furlough is taken, as officers cannot afford to live at home now on their furlough pay.

39667 (108). Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—The first part of this question should be answered by the Secretariat. As regards furlough, I think

the proposals contained in the Government of India, Finance Department, letter No. 538-C.S.R., dated the 13th September 1912, are generally suitable. An officer should be able to take his first furlough after six years' service. The present eight years' service limit is not suitable in my opinion, as after about eight years' service an officer usually has a chance of acting as a Collector for a considerable period. It may be very inconvenient to him, and to the Government also, that he should take furlough then.

39668 (109). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—I consider that the present maximum furlough allowance (£1,000) is inadequate, in view of the greatly increased cost of living and the heavy deduction on account of Income-Tax. The limit should be raised to at least £1,200 *per annum.*

39669 (110). Do you recommend any change in the concession, granted in 1893, under which leave allowances expressed in rupees, other than privilege leave allowances, issued at the Home Treasury, or in a Colony with a gold standard of currency, are issued in sterling at the privilege rate of exchange of 1*s.* 6*d.* the rupee?—No.

39670 (113). Generally speaking, do any of the present leave rules applicable to the Indian Civil Service cause inconvenience to the Administration, and if so what, and what remedy do you suggest?—Should be answered by the Secretariat. One way of meeting the transfer difficulty would be more frequently to appoint the senior Provincial Service Officer on the spot to act in the case of short vacancies, up to, say, three months.

39671 (114). In particular are they a contributory cause of excessive transfers of officers of the Indian Civil Service, and if so, how can this difficulty be met?—I think the present limitations as to privilege leave do act as a contributory cause of transfers, as they encourage officers to take leave for short periods of three months. I think some provisions such as what I have suggested under question (115) would be an improvement.

39672 (115). Do any of the present leave rules press hardly in any way on officers of the Indian Civil Service themselves and, if so, in what respects? What is, in your opinion, the appropriate remedy?—I consider that the present rules governing the grant of privilege leave give rise to hardship. It would frequently be more advantageous to officers, and often more convenient to the administration, if they could let their privilege leave accumulate for, say, six months. An officer is entitled to one month's privilege leave on full pay after 11 months' service; this if allowed to accumulate would amount to two years on full pay in 24 years' service. He should be allowed to take privilege leave on full pay for six months, and to combine this with furlough up to 18 months in all. This may involve some extra expenditure; but this should be accepted, and the rules laid down in a broad-minded spirit, without regard to petty savings here and there.

39673 (116). Do the present leave rules applicable to Statutory Civilians, or to officers of the Provincial Civil Services employed in listed posts, cause any inconvenience to the Administration, or press hardly on the officers themselves, and in what respects? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—The first part of this question should be answered by the Secretariat. I do not think that separate sets of rules are necessary.

39674 (118). Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—No, not altogether.

39675 (119). Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—I do not think so.

39676 (120). Assuming the maintenance of the annuity system, do you suggest any modifications in its detailed working, and, if so, what, and for what reasons?—I think the rate of pension should be increased. Considering the amount which the members of the Service contribute towards their pensions, they are really less than can be earned in many other services; and the general public do not understand to what an extent the Indian Civilian pays for his own pension. How very far the pension is from being generous will be understood by comparing the case of a Civilian who after passing 25 years in one of the most laborious services in the world obtains a pension of £1,000 a year, of which it is believed Government pays only half or little more than half, while a barrister or vakil Judge of the High Court after only 11½ years in the Court is given a pension of £1,200 a year, without his contributing anything towards it; and a Barrister Chief Judge of the Small Cause Court, after 15 years' service is given a pension of £750 sterling without subscribing anything towards it. It is most desirable that an actuarial enquiry should be carried out, with a view to ascertain as accurately as possible what is the average amount of pension that actually falls upon Government. Owing to the increased cost of living in this country, the diminished value of the rupee and the heavy expenses that have to be incurred by a member of the Civil Service if he does his bare duty in the way of entertaining and maintaining the dignity of his Service, it is impossible for him to save any money out here. In my opinion a Lieutenant-Governor should receive a pension of £1,500, a Member of the Executive Council, a Judge of the High Court and a Member of the Board of Revenue should receive £1,250 as pension, after serving 5 years in such office. Another suggestion is that, in the case of officers of the executive side of the Service, for each year served after the minimum period for full pension, an officer should become entitled to an extra £25 of pension. If this system be adopted, I would make it conditional upon the officer having served as a Commissioner of a Division, Chief Secretary, Member of the

Board of Revenue or Member of the Executive Council for 5 years, or in more than one of these higher appointments for an aggregate term of 5 years. Lieutenant-Governors would get £1,500 and Judges of the High Court £1,250, after 5 years as such. See also answer to question (125). I think that the best officers in the Service should be encouraged to stay on while they are still in robust health of body and mind, and their knowledge and ripe experience not be lost to the country.

39677 (121). In particular, what is your opinion of the arrangement by which members of the Indian Civil Service, who are appointed Judges of High Courts, obtain special pensions of £1,200 a year, after 11½ years' actual service as Judges? Do you recommend any change in the present condition?—I regard it as anomalous, and wholly unfair, that a barrister or vakil Judge after 11½ years in the Court should receive the same pension as a Civilian Judge who has put in so many years hard public service—perhaps 25 years—before entering the Court, and who has already contributed so much towards his pension. Moreover, with the 60 years of age limit, very few Civilian Judges will be able to complete 11½ years' service in the High Court.

39678 (122). Do you consider that a similar system should be applied to the cases of high Executive officers, and if so, to which? Please state the amount of pension and the conditions which you recommend as suitable?—See answer to question (120). Members of the Executive Council of the Governor-General should receive a pension of £1,500, to place them on a par in this respect with Lieutenant-Governors. In this connection see answer to question (137) *infra*.

39679 (124). Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—I recommend, as already stated [question (87)], that the Secretary of State should have power to retire compulsorily inefficient officers on proportionate pension. Such cases should be dealt with in the first instance by a commission consisting of at least two senior members of the Service. Their report would be submitted through the Local Government and the Government of India; but it is important that the final order should be passed by the Secretary of State. The authority that appoints should remove. The scale of pension should be the same as that for retirement on medical certificate; but the scale for the latter should be considerably improved.

39680 (125). Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?—I think there is a good deal to be said in favour of a suggestion which has been made for encouraging members of the Service not to retire after 25 years' service by offering an increase of pension for each year served after 25 years' service. I think it is in the interests of the Government and of the people that officers of ripe experience and knowledge should be encouraged to continue to work in this country while they are still in vigorous physical and mental health.

39681 (128). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed posts? If not, what do you suggest?—I would give an extra pension of Rs. 1,000 a year to every member of the Provincial Civil Service who has held a listed post for three years and performed the duties thereof to the satisfaction of the Local Government; and I would authorise the Government of India to increase this to Rs. 2,000 for specially meritorious service.

39682 (129). Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?—I consider it wholly anomalous and unfair that unmarried members of the Service should be forced to subscribe.

39683 (130). In particular do you approve of the exclusion from their benefits of "Natives of India," who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?—I think that "Natives of India" who are members of the Indian Civil Service may be admitted to the benefits of the Indian Family Pension Fund. [The benefits should, of course, be limited to one wife.]

39684 (131). Do you recommend that such admission should be optional or compulsory?—The condition should be the same for both races.

39685 (137). Have you any other proposals to make in regard to the Indian Civil Service not covered by your answers to the above questions? If so, please explain them?—I am strongly of opinion that a Membership of the Executive Council of the Governor-General should be placed upon a higher footing than at present. The posts in this Executive Council should ordinarily be filled by officers who have served as a Lieutenant-Governor or Chief Commissioner. The Viceroy and Governor-General, should, in my opinion, have officers of the ripest experience to advise and guide him. An officer who has had personal experience of governing a province is much better qualified to advise on matters relating to provincial administration than an officer who has not had this experience, and his opinion must necessarily carry more weight. Moreover, I think it is undesirable that a Member of the Viceroy's Executive Council should hold further office in India. Another proposal I would like to make with a view to discouraging constant transfers of officers, which I regard as one of the most serious drawbacks to good administration, *viz.*, that if an officer is transferred in less than three years from any particular post to a post in another district, for no fault of his own, he should be paid the actual expenses involved by the move, up to a reasonable

limit. The frequency of transfers is one of the greatest defects in the administration. I am of opinion that suitable official residences should be provided at each station for the members of the Service holding higher appointments.

Written answers relating to the Provincial Civil Service.

39686 (1). Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration ?—They are generally suitable.

39687 (2). Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your province. Are these rules suitable, or have you any recommendations to make for their alteration ?—I would submit for consideration whether the present system of nomination, in which the question of class and community representation is admittedly a factor, might not with advantage be changed to a system under which a number of candidates from each class or community should be nominated and the nominated candidates of each class allowed to compete *inter se.* For instance, supposing there are 10 vacancies in any one year, of which 7 should be filled by Bihari Hindus, 2 by Bihari Muhammadans and one by a European or Anglo-Indian, Government would call for nominations for each class in excess of the number of vacancies, say 20 nominations of Bihari Hindus, 5 nominations of Bihari Muhammadans and 3 nominations of Europeans or Anglo-Indians. A competitive examination would then be held. The 7 Bihari Hindus standing highest on the list, the 2 Bihari Muhammadans standing highest among the Muhammadans, and the European or Anglo-Indian who stands highest among the 3 of that class would then be selected for appointment. Such a system would go some way towards meeting a very widespread feeling of dissatisfaction with the present system of nomination. It would also have the advantage of providing a very fair criterion of selection in cases where nominated candidates have much the same apparent claims. This proposal refers to the Executive branch of the Service. In regard to the Judicial branch, I recommend that the age-limit be reduced. By the time a member of this Service rises to the first grade of Subordinate Judge, and has the chance of appointment to a listed post, he is ordinarily much beyond his prime. I would suggest 24, *i.e.*, under 25, as the age limit for enrolment, and 25, *i.e.*, under 26, for first acting appointment. I am inclined to think that the effect of such a change would be that we would get better men than we do at present. The three years' practice at present prescribed seems quite unnecessary. Only a very exceptional man acquires an appreciable practice in the first three years. And if he does acquire a practice in this time, it is most unlikely that he will seek enrolment in the list of candidates. There is time enough for practice after enrolment. Moreover, the present course for the B. L. provides for a much more practical training. One year's attendance in the Courts might be insisted on. Even this is not indispensable. Officiating officers should receive a suitable allowance; and enrolled candidates when not officiating should be assigned definite duties by the District Judge.

39688 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend ? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method ? Please describe fully the system that you recommend ?—In regard to the Provincial Civil Service I consider that the present system of nomination is more suitable than a system of pure competition ; but I would prefer the system which I have indicated in the answer to question (2) above.

39689 (7). To what extent are non-residents of the province employed in your Provincial Civil Service ? Do you consider that only residents of the province should ordinarily be recruited ?—The first part of this question should be answered by the Secretariat. Only residents of the province should ordinarily be recruited in the Provincial Civil Service.

39690 (8). Are all classes and communities duly represented in your Provincial Civil Service ? Do you consider that this is desirable, and what arrangements do you recommend to secure this object ?—The system of having all classes of the community represented in the Service should always be kept in view if the confidence of the public is to be retained. All communities at present are not duly represented ; but this is largely due to the fact that certain communities are more backward in education than others. The system that I have suggested in the answer to question (2) above would sufficiently secure this object.

39691 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service ? Do you consider it satisfactory, and if not, what alterations do you recommend ?—The system is fairly satisfactory.

39692 (10). Is the existing system of departmental examinations suitable, and if not, what changes do you recommend ?—Fairly satisfactory. I would be inclined to separate the Criminal laws from the Revenue laws. At present they are taken together as one subject, inasmuch as if an officer gets pass marks in Criminal law but fails in Revenue law, he will have to appear again for both Criminal and Revenue law. Officers very often prefer to take up one branch at a time, and I would enable them to do this.

39693 (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service ?—I suggest that a Registrarship in the Secretariat might be thrown open to the Provincial Civil Service, with a view to giving Secretariat training to some of the men in the more junior grades.

39694 (15). What is the annual rate of recruitment and how is it fixed ? Has it worked

well in practice and does it secure an even flow of promotion ?—(*i*) Should be answered by the Secretariat. (*ii*) There is a general complaint that promotion is too slow in the lower grades.

39695 (17). Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers ?—The present conditions are generally satisfactory. Appointments to the listed posts must be governed by considerations of fitness, irrespective of length of service. The Local Government should have power to retire compulsorily inefficient officers on a proportionate pension. These remarks apply to both the executive and judicial branches of the service.

39696 (18). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated ? Is any change desirable, and if so, in what direction ?—The two branches are fully differentiated, except in a few districts, inhabited largely by aboriginal and backward tribes, where Deputy Magistrate-Collectors have the powers of a Sub-Judge or Munsif, or Munsifs have the powers of a Magistrate. No change is required in this respect. In respect of the executive branch of the Provincial Civil Service, I am of opinion that at the head-quarters of each district certain officers should be deputed to perform magisterial duties, and others to perform the duties of the Collectorate or revenue side. To this extent judicial and executive duties should be differentiated.

39697 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable ? If not, what alterations do you suggest ?—The present system is satisfactory.

39698 (20). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service ? If not, what change would you suggest ?—See answer to question (37) relating to the Indian Civil Service.

39699 (21). Are you satisfied with the present designation the "Provincial Civil Service ?" —Yes.

39700 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed ? If not, what principle do you recommend ?—I accept the principle.

39701 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed ? If not, what alterations do you recommend ?—I consider that a senior grade on Rs. 1,000 should be added in the case of the Executive Branch to correspond with the Rs. 1,000 grade in the Judicial Branch.

39702 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service ? If not, what alteration do you recommend ?—I do not recommend any alteration.

39703 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion ? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service, or not ?—There is much to be said in favour of a time-scale in both branches of the service up to the Rs. 500 grade, subject, of course, to approved good service ; but what is really more important is to readjust the grades, so as to prevent the excessive block that occurs at present in the lower grades (Rs. 300 to Rs. 500). This should, at all events, be rectified.

39704 (27). As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale ?—No.

39705 (28). What is your experience of the practical working of time-scales of pay in other Indian Services ?—I have no personal experience.

39706 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service ? If not, what rates do you suggest for the various appointments ?—I accept the arrangement.

39707 (34). Do you consider that the rates of furlough allowances are suitable ? If not, what changes do you recommend ?—Suitable, generally. I would allow Provincial Civil Service officers to take a certain amount of furlough on full pay, limiting this to half the amount of furlough due, *e.g.*, instead of taking 12 months' furlough on half pay, they might be permitted to take 6 months on full pay.

39708 (35). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable ?—Suitable.

39709 (36). Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave ? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible are suitable ?—I think that members of the Judicial Branch might be allowed 15 days' privilege leave *per annum*, which they could save for three years, *i.e.*, up to 45 days. Otherwise I am of opinion that the proposals contained in the Government of India, Financial Department, letter No. 674-C. S. R., dated the 19th October 1912, may be accepted in o far as the Provincial Service is concerned.

s 39710 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service ?—There is a strong feeling among the members of the Provincial Civil Service that the establishment of a system of Provident Fund on lines somewhat similar to that

in force in the East Indian Railway Company's service would be more suitable than the present system of superannuation pensions. I am inclined to agree in this view.

39711 (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Government should have power to retire compulsorily for proved inefficiency on proportionate pension, on the lines suggested in the case of the Indian Civil Service [question (124) above].

39712 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—An additional pension of Rs. 1,000 *per annum* should be given to officers after three years' approved service in listed posts, and the Government of India should have power to grant up to Rs. 2,000 for specially meritorious service.

39713 (46). Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—Subject to the suggestions made above, I consider the existing organization to be fairly satisfactory.

39714 (47). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—There is one proposal I would like to make in respect of the Judicial branch of the Service, *i. e.*, that at least one seat on the local bench of the High Court should be allowed to this Service. I would make the rule suggested in my answer to question (137) in respect of the Indian Civil Service, regarding the payment of transfer expenses, applicable to members of the Provincial Service also. What is really most required is an increase of cadre. The members of the Service (both branches) are generally much overworked, and leave has frequently to be refused on the ground that officers are not available to fill the vacancies. I may mention here that there is a great deal of dissatisfaction among the members of what is called the Subordinate Civil Service — the Sub-Deputy Collectors. These officers feel, and with reason, that although they are recruited from the same classes as the members of the Provincial Civil Service, and have similar educational qualifications, there is a marked difference in their duties, in their prospects of advancement, and in the position which they hold in the eyes of the public and of their brother officers. As at present constituted, I think the two services should be amalgamated. For the outdoor duties for which Sub-Deputy Collectors were originally intended, I think a different class of officers should be enlisted, University qualifications not being so necessary for this kind of work.

MR. C. E. A. W. OLDHAM, called and examined.

39715. (*Chairman.*) You are Commissioner of the Patna Division?—I am.

39716. How many years have you occupied that position?—I have been here for just about a year.

39717. In answer to question (17) you say that there is evidence of a falling off in the recent recruits to the Indian Civil Service. Do you mean that as a body they are too set in their opinions when they arrive out here?—My view is that the men who come out now are more set; their character is more formed; they are not so adaptable to the environment of this country; they are, in my opinion, not so keen, generally, in their work; and they do not take the whole-hearted interest in their work which the men did who came out under the younger age conditions. That is my view.

39718. By way of remedying this, you would like to see competition combined with some form of selection?—I should like to see the age limit reduced so as to attract young men at the school-leaving age.

39719. You set more store by the reduction of the age than you do by nomination?—I do, though I have also advocated a modified system of recruitment as far as that may be practicable, it is a very difficult matter indeed. *But I am strongly of opinion that the younger age-limits* are better for this country and for our Service.

39720. On the other hand, you would like to see the young Civilian entering upon his work two or three years sooner than he does at present?—About two or three years out here. I should like to see him start his probationary course earlier at home, and have a longer probationary course.

39721. As regards Indians, I understand you would like to see boys chosen, and placed in a special college in India, and out of them certain students selected and send to England for the examination?—The complaint made at the present time, if I may roughly explain my meaning, is that Indians are at a disadvantage under the present system of a single competitive examination in London. I admit that they are, to a certain extent, at a disadvantage; and I would like to do something to enable young Indians to overcome that disadvantage. I have suggested a rough scheme—it is a rough idea, as one way, perhaps, of meeting that objection to the one examination in London.

39722. But do you not think that reducing the age would add disabilities to Indians in passing through their examination in London?—I do not agree with that view. My own experience is that under the younger age limits more Indians got in.

39723. Was the average of successful candi*dates during those years higher than the average of recent years?—I think more Indians got in* under the younger age conditions.

39724. You do not think that there would be a difficulty for a young Indian of 18 leaving this country before he has gone through his graduate course here, and that he would be unlikely the to compete successfully in the examination at home ?—If he were specially trained at a special College, there would be no difficulty, in my opinion. He would have almost as good a chance as a boy from an English public school.

39725. You would send him to this special College at about 13 or 14 ?—I would give him an opportunity of going there. I would send him at the ordinary age at which a young man joins a public-school at home.

39726. Would these boys have to pay for their education in this College, or would it be granted by the State ?—I think they should pay for their education at this College, just as much as they have to pay for their education at any other institution at present in this country. But the Government would provide the very best education on English lines. It would be cheap.

39727. As an alternative to that scheme, what would be your objection to the institution of an examination in this country, successful candidates in that competitive examination being sent to England for a three years' University course ?—The chief objection which I see to this is that these young men will not come under the influence of European training until their character is more or less formed. I should prefer that they should come under the influence of English training at a younger age, when they are still impressionable.

39728. The College which you suggest would be conducted by European masters ?—Certainly. I think the great majority, or at any rate a large proportion, of the masters should be European ; and they should be some of the very best men we could get.

39729. You do not think that a three years' course at the University after passing the examination at 18 would give that sufficient amount of European training for a Civil Servant ? —It would not give as much, and I do not think it would give sufficient. You could not say that, if a young fellow at the age of 18 out here is sent home to England for a three years' probationary course he will ordinarily attain those English qualifications which we regard as essential for the Civil Service.

39730. Assuming that the age was reduced, a considerable number of Indians would go through the examination at home without that training. It would not necessarily follow that they would all go to this College which you suggest, and for which they would have to pay themselves. They would go direct from India and pass through their course ?—You cannot under any system bar Indians from going in for the open competitive examination.

39731. So that the Indian who went through that course would be going through precisely the same course except that he would pass the examination in England ; whereas the others would be passing the examination in India. Your objection to an Indian examination is that the candidate would not get the English training prior to the examination, is it not ?—Yes.

39732. Then what would be the difference between that Indians who would go direct from India, pass the competitive examination and go through the University course, and the Indians who passed the examination here and then went to England and passed through a three years' course at the University ?—There would be practically no difference between them.

39733. You would maintain the existing system of listed posts : would you be prepared to increase those posts ?—I do not think I have said that I would be prepared to increase the posts. I am quite prepared to accept the present arrangement of listed posts.

39734. You would leave the listed posts as they are ?—Yes.

39735. In answer to question (7) you refer incidentally to the fact that " the crying want is an increase in the number of officers both European and Indian, and chiefly in the Provincial and Subordinate Services." And you also say " officers of the Executive and Judicial lines are nearly all overworked at present." Will you tell us the number of hours which, in your experience, officers have to work and in what direction you would strengthen the cadre to meet this difficulty ?—I can speak more particularly of the Executive Branch of the Provincial Civil Service, though I have some experience also of the fact that members of the Judicial Branch of the Provincial Civil Service are overworked and in some cases, perhaps, more overworked even than the members of the Executive Branch of that service. Their hours of work are ordinarily from 11 to 5 ; but these officers have very frequently to work on until 6, 7 or even 8 o'clock at night, besides having to work at their own houses before coming to office, and after going back from office. I think it is admitted on all hands by those who have had experience of the administration in this country that the members of the Provincial Service are, as a rule, overworked, and that the Service needs strengthening.

39736. Have you any definite suggestion to make with a view to relieving this pressure ? —My proposal would be to increase the strength of the cadre of the Provincial Civil Service, and to improve the gradation of that cadre. The numbers in the grades are ill-arranged (I am speaking now for this Province and also for Bengal because till last April my service has been in Bengal), the result being that there is an excessive block in promotion. I think the Executive Service might reasonably and justifiably ask that this defect should be remedied at once.

39737. You would like to see a complete re-grading right through : but have you any specific proposal to make that would really be helpful to us ?—I should adopt the grading

which is recognised generally in this country, the grading proposed by Sir David Barbour when he was out here. It is generally known as the Barbour scale. It ensures a fairly even flow of promotion.

39738. You would prefer that grading to a time-scale ?—That is another question. I am not opposed to a time-scale, at all events, up to, say, the Rs. 500 grade. I am not opposed to a time-scale; in fact a time-scale in the lower grades would have many advantages; but whether the defect could best be remedied by re-gradation, or by introducing a time-scale, I can hardly say. What is also indispensable is an increase in the numbers of the Service. Additional officers should be added to all the grades, and this addition should be made right through the grades from top to bottom. The total strength of the Service is insufficient.

39739. You are not in a position to give us anything definitely ?—Not in figures. The Secretariat will do that.

39740. What is your opinion about the proposal which has often been made to us of a time-scale right through in compartments, with selection from the Rs. 500 grade into the higher grade ?—I have not considered that suggestion. It has not been brought before me.

39741. The proposal, which has been put us very often, is automatic promotion up to Rs. 500, when there would be selection, those selected going on again automatically through another compartment of the time-scale, generally up to Rs. 1,500 ?—As regards the Indian Civil Service I am opposed to a time-scale altogether.

39742. You are only speaking of the Provincial Civil Service ?—Yes.

39743. Why are you opposed to a time-scale for the Indian Civil Service ?—Perhaps my reasons are largely sentimental; but I regard it as tending to deprive members of the Service of the incentive to any special effort.

39744. But would not there be an effective incentive if there was a selection bar ?—It might conceivably be arranged, but then it would not be altogether a time-scale, as I understand a time-scale.

39745. It would give an officer a fair chance of an increased rise in remuneration as he goes through his years' service ?—There are many arguments in favour of a time-scale.

39746. Your opposition to a time-scale, I understand, in the Indian Civil Service, is mainly sentimental ?—I think it will tend to level up the work.

39747. From a practical point of view it is not an ineffective method of getting over the difficulties ?—It gets over difficulties which at present exist.

39748. With proper care and selection the danger you mention might be avoided ?—If selection is applied I would not object; but, as I understand a time-scale, it more or less precludes selection.

39749. But not the particular form of time-scale I was indicating to you in my question ?—If a time-scale can be organised, and selection, at the same time made for special merit or specially good work, I should not object to it.

39750. With regard to your answer to question (98) you say that the present system of officiating grade promotions where there is no change of duties works smoothly. We have heard very strong complaints in other Provinces against the method of fixing pay. It has been pointed out to us that no officer quite knows what he is going to draw, and that he is very liable to sudden retrenchment of sums which he has received as salary. Has that been your experience at all ?—I have known of cases of retrenchment, but I have never been subject to it myself as far as I can remember. I think in any system that will probably occur at times. Mistakes will be made in the office. I know the system involves an enormous amount of clerical labour at the Head Office, and there is a strong objection to it on that ground. I am not at all anxious to see it continued. It works smoothly, and I have not experienced any serious objection to it. I have not come across anything which would make me think it ought to be abolished.

39751. You suggest a new grade of Joint Magistrates at Rs. 1,200, some rising in pay to second and third grade Magistrates, going from Rs. 1,000 to Rs. 1,200 ?—I say there is a good deal of dissatisfaction as to the pay of the second and third grade Magistrates. I have heard Magistrates in those two classes complain that they are not paid adequately.

39752. Do you not suggest a new grade of Joint Magistrates ?—Yes. Question (93) asks: "If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts, or to both." I know that such dissatisfaction does exist. I am not prepared to say that it is altogether justified.

39753. What have you to say with regard to the rise of second and third grade Magistrates ?—Personally I am not prepared to say that there is any urgent need for reform.

39754. You would raise the maximum furlough allowance from Rs. 1,000 to Rs. 1,200, with permission to take privilege leave on full pay for six months, and an increased pension for certain officers ?—Yes.

39755. You would also free unmarried members from liability to contribute to the family pension fund ?—Yes.

39756. Will you tell us in what order of importance you put all these proposals ?—I think the question of furlough allowance and pension are the most important. It is really the pension which, I think, mostly attracts men to come into the Indian Civil Service and to offer themselves for examination. Pension and furlough I would put almost on the same level. At present, the furlough allowances are, in my opinion, insufficient.

39757. Would you say that a favourable pension at the end of service, or more favourable terms of pay during service would be a greater

attraction to a young officer joining the service ?—I am inclined to think that the pension has the greater effect.

39758. You think that the young Civilian would be looking to his pension when he joins the Service rather than to his pay ?—I think, on the whole, it has the greater effect upon a man ; at all events, it has with those who guide and influence him, with his parents and others who look to the future more, perhaps, than the young man himself.

39759. In your answer to question (47) of Provincial Civil Service series, you refer to the demand, which we have also heard in Bengal, that the Subordinate Civil Service should be amalgamated with the Provincial Civil Service. Do you suggest that the amalgamation should be made on the present rates of salary ?—I think the present members of the Subordinate Executive Service might be gradually absorbed, that they might be allowed gradually to work up into the Provincial Civil Service. I would not make any immediate change in the rates of salary. They could be gradually absorbed, and the cadre of the Provincial Civil Service increased sufficiently to absorb an equal number in future years. That is to say, recruitment would cease for the Subordinate Executive Service on the lines upon which it is now carried out, and an equal number of posts would be added to the Provincial Civil Service.

39760. By that means you would allow the gradual extension of the Subordinate Services ?—Yes.

39761. In answer to question (88) you say : " I deprecate the complete separation of Judicial and Executive functions in this country," and then you go on to say : " I strongly advocate the proper training of Judicial officers. I think the District Magistrates might be relieved of the functions of an Appellate Court from the decisions of Magistrates of the second and third class, and the hearing of such appeals transferred to the Sessions Court or to an Additional Sessions Judge." That is, I suppose, decisions from the first class already go to the Sessions Judge ?— Yes.

39762. And now you would remove the second and third class, as well ?—I would relieve the District Magistrates of those appeals.

39763. Would not that effectually relieve him of a very important part of his magisterial authority ?—I do not think so.

39764. At the same time, you think it would be a very distinct relief to him to enable him to give more time to his multifarious duties ?—Yes. He could devote time to more important duties in many cases.

39765. (*Sir Murray Hammick.*) With regard to the rules in this Province so far as Assistant Collectors are concerned, when they come out do you supply tents from Government for them ?—We do.

39766. So that an Assistant Collector, when he arrives, has no expense in providing himself with tents ?—That is so.

39767. But I suppose the Assistant Collector when he arrives has to buy himself a horse ?—Yes.

39768. And he has to supply himself with a certain amount of furniture ?—Yes.

39769. And he probably, also, has to live by himself in a house, and pay a certain amount of house-rent ?—Yes, that is so. When I say that the Government supplies him with tents, I mean that the system here is not that which is in force in Madras, where the Government officials have to purchase their own tents. Here the Government supply a certain number of tents to each district, which are at the disposal of the District Officer or the Sub-Divisional Officer, as the case may be. If an Assistant Collector has to go into camp, and a tent is required, the Collector will have a tent sent out for him from his stock.

39770. When the Assistant Collector arrives is he able to get any advance from Government for his immediate expenses ?—I think he can draw an advance when he first arrives in the country.

39771. Perhaps you do not know anything about it, but I think in Madras every Assistant Collector goes off immediately he arrives, and draws Rs. 1,000 ?—I think it is generally done. I think I did so myself.

39772. From what you know of the young Assistant Collector here, do you think the pay he gets on arrival is sufficient to keep him out of debt, assuming, of course, that he arrives unmarried, and lives as you would expect an Assistant Collector to live, probably keeping a horse and trap, and living in a respectable house in the district ?—It is very hard for him on Rs. 400 a month.

39773. Amongst other things, in order to make the Service more popular, you would advise that the Assistant Collector's pay on arrival should be raised in order to meet the expenses ?—I do not think this is very urgent.

39774. In some provinces we have visited we have had evidence from certain members of the Service who have emphasised very much the necessity of increasing the pay of Assistant Collectors in order to make the Service popular ?—I would not do so. I think it is a good training for a young officer when he first comes out to have to be careful.

39775. And if he is careful you think there is no reason why he should get into any difficulty ?—If he is unmarried there is none. But if the higher age-limit is maintained then perhaps the pay of a young Assistant Magistrate when he first joins ought to be raised. If they come out at the younger age, they would generally come out unmarried, and Rs. 400 would be enough.

39776. How many districts have you got in your division ?—Three here in the Patna Division.

39777. Have you in your division any large factories ?—No.

39778. Are there any signs of any immediate industrial development in your division ?—Perhaps not immediate. There are signs of development in the lime industry in one of the districts. It is rapidly extending.

39779. How would you propose to recruit boys for the College you suggest, and which you refer to in answer to question (3) ?—That is a matter which I should leave to the consideration of the Special Committee.

39780. You would have some method of selection to the school. It would probably be necessary to do so, as the applications might be far more numerous than the accommodation of the school ?—I think some system of selection would be essential.

39781. In India we have several Colleges which are largely manned by Europeans of very high character, where boys go. They have hostels, and as far as possible, these schools train in character. What difference would there be between schools and one of these Colleges you mention ?—I know of no College at present in India where training is given on the lines of an English public school, admitting Indians.

39782. Take a large residential College which is manned by five or six European professors, with hostel, and 250 students all living in different rooms under a Warden who is a European. I do not see quite where the difference in your College would come in. They play games in the same way as European games are played; they have debating Societies; they have a system of Prefects, and they have exactly the same Forms as any English school: I do not quite see what the difference would be between the College you suggest and a College of that kind. I know one or two certainly. I suppose they are very common in India. Most of these Colleges are run more or less on lines trying to teach character. It seems to me that in your College you would have exactly the same difficulties which there are in these Colleges. You cannot lay down any religious training, and you would have to rest upon purely moral training, which is the difficulty which faces all Colleges in this country at the present moment. The same objection would meet you in your College here, and I do not see how you would be able to get over it ?—The Colleges of which I have had any personal experience are certainly not worked on the lines of an English public school. There may be such in other parts of India.

39783. In your answer to question (10) you say: "In my opinion any such method would tend to lower the Indian Civil Service in the estimation of the public. It is most undesirable that any system should be adopted which would have this effect. The different communities and classes should, as far as practicable, be represented if the confidence of the public is to be retained." How are you going to secure the representation of communities and classes in any College of this kind? Would it be one of the objects of the Committee in selecting boys for this College to choose different communities to see that one community did not overwhelm the College in numbers ?—I think the College authorities might interfere or suggest the recruitment. If they found certain classes were being over-represented they might suggest to the Provincial Committees the desirability of trying to get boys of other communities or classes. But I would rather leave this selection to the last, just as they are being sent to London to pass the open competition. At that time I think a certain amount of selection might be made.

39784. You think it is of considerable importance to keep up this fair representation of the principal classes in the Civil Service ?—Most decidedly. Any single class should not be allowed a monopoly.

39785. With regard to question (60) you seem to take some exception to the training of Assistant Collectors, and you suggest that a specially selected officer should be deputed for the training of officers. Do you mean that these young Assistants should be kept in one spot ?—No.

39786. Would you have this officer to tour with them ?—I would, at his discretion.

39787. Your recruitment is about four or five a year ?—Yes, about that.

39788. Would you like to see these boys brought up and put under a good Revenue Officer of some seniority, and would you propose that he should take them, more or less, on tour through the Province ?—Not through the Province necessarily; but to see the various phases of administration, headquarters work and mufassal work, and perhaps work in the aboriginal tracts, to some extent, and work in the more civilised districts.

39789. He would look after the reading of these young men ?—Yes.

39790. You think that would be better than the present training, and the sending of boys under selected Collectors ?—On the whole, I do, because the Collector is overworked, and he has not the time to devote personal attention to these young fellows.

39791. Are the districts to which these Assistant Collectors are sent very often very lonely districts, or have the headquarters of the districts in this Province got a fair amount of society ?—They are never sent to lonely stations on first arrival, but to the head-quarters of a district. At every head-quarters there are a certain number of officers.

39792. The only reason you object to the present system is that the Collector, as a rule, has not time to look after them properly ?—There is also the reason that one Collector has not the same experience or ability to train young fellows as another Collector has. I attach the greatest importance to the first training after arrival. I think it all depends upon how a young fellow is brought up at first. If he gets under the influence of an un-

sympathetic Magistrate it has a bad effect, more or less, upon the whole of his service.

39793. Of course your Province has not been constituted long enough to have any experience as regards the necessity for transfers, but do you think in the future it will be possible to keep an officer in the district to which he first goes? You have here a large extent of Ooria-speaking country. Do you think it would be possible in future to arrange for the young Assistant who joins in an Ooria-speaking country to stay there?—I do not think it is practicable or necessary.

39794. You practically have here two languages, Ooria and Hindi?—These are the two main languages here.

39795. Putting aside the smaller dialects, a man who knows Ooria and Hindi can practically get on in every district easily and well, can he not?—Ooria takes a very second place. Hindi is by far the most important language in this Province. Ooria is only spoken in four districts.

39796. And Hindi carries you throughout the rest of the Province except Chota Nagpur and the Sonthals?—Throughout, practically. Hindi will carry you all over. There are parts in Chota Nagpur where the unsophisticated rustic does not know Hindi; he only knows his own dialect. But even in Chota Nagpur districts Hindi will carry you about.

39797. In answer to question (88) you say: "I would in so far as the District Magistrate, who is, and who must remain, the Head of the Police, is concerned, make the provisions of section 191, Criminal Procedure Code, applicable to Police reports." What is section 191?—Section 191 is as to the taking cognisance of a case on a Police report.

39798. In answer to question (92) you say that a grade of Joint Magistrates on Rs. 1,200 would meet the want of the Province. Do you not think that the difference in the position and in the demands which are made upon a District Officer from those made upon a Sub-Divisional Officer make it advisable to have a very considerable break in the difference in the pay between the man who is acting as District Officer and the man who holds the Sub-Division?—That is so.

39799. You speak of the break between Rs. 900 and Rs. 1,500. I have been looking through the list in almost every Province, and there is that difference between the District Officer and the Sub-Divisional Officer. In some Provinces it is a difference between Rs. 800 and Rs. 1,200, and in others it is a difference between Rs. 1,500 and Rs. 900. I presume it was made for that purpose. Do you not think there is considerable value in that?—That argument has considerable force. I made the proposal more especially with a view to removing a hardship in the case of certain individual officers, who, in ordinary circumstances would be officiating as Collectors, but owing to, perhaps, over-recruitment or fortuitous circumstances, they are not acting. Take the case of a senior man of eleven or twelve years' standing who ought really to be acting, and under ordinary conditions would be acting, as a District Officer. He is not, and he is simply drawing a Joint Magistrate's pay. I have known individual instances of this.

39800. With regard to your answer to question (114), we have had strong evidence in the Central Provinces from the Service there that the Civilians of that Province would like to see a month's leave taken compulsorily every year. Do you agree with another witness here who stated that that would be most unpopular in this Province?—I do not know. It has never been suggested to me. I certainly do not approve of the idea myself.

39801. You think, with the existing holidays a man gets from the Dussahra, and other holidays, that there is no necessity to enforce a month's holiday every year on every Executive officer throughout the Province?—If I may say so, I do not approve of the suggestion of enforcing a month's holiday. To do so would be to treat members of the Service as school-boys. I think the members of the Service are the best judges themselves of what leave they want.

39802. As regards the Provincial Civil Service, you speak of a very widespread feeling of dissatisfaction with regard to the present system of nomination. Will you kindly let us know what is the actual dissatisfaction, and what gives rise to it? Is it merely the fact that the man has to go about touting for a favour from the officers in order to get a nomination?—I think there are many reasons underlying it. The fact remains that there is this dissatisfaction. It is widespread. I can assure you of that. In some cases it is due to imaginary causes. In others, there are real grievances. There are reasonable objections to the present system. At all events, this dissatisfaction does exist, and I think every member of the Provincial Civil Service will bear me out in that.

39803. The Registrarship of the Secretariat is now held by a ministerial officer. You suggest that it should be thrown open to a Judicial officer?—When I was in the Secretariat it was always held by a non-Provincial Civil Service man. The post might even be held by an outsider. I only know of one instance in which one of the Secretariat Head Assistantships was held by a member of the Provincial Civil Service.

39804. With regard to Sub-Deputy Collectors, you speak of outdoor duties for which Sub-Deputy Collectors are intended. I understood from some evidence we received here that practically the whole of the Sub-Deputy Collector class was doing Deputy Collector's work?—That is not altogether correct.

39805. Would it be possible to divide off a certain number of Sub-Deputy Collectors to make a smaller Service, if necessary, which would be confined to doing these outdoor duties, which you mention in your last answer: that Service being either called Sub-Deputy

Collectors or by some other name, being locally recruited, and getting local promotion in the same way as the outdoor men in other Provinces are allocated, and then separating off the rest of the Sub-Deputy Collectors who really do Deputy Collectors' work, and throwing them into the Deputy Collectors' grades ?—The latter part of your remark is one of my proposals. The present members of the Subordinate Executive Service should be absorbed into the Provincial Service, that is into the grades of the Deputy Collectors.

39806. But are there enough outdoor duties, of the nature of Mamlatdars for instance, in Bombay, and Tahsildars in the Central Provinces, in each district to allow a separate Service for the men to do those duties ?—I would prefer the system which you have suggested.

39807. You would make more Sub-Deputy Collectors ?—There are certain outdoor duties which could be performed by officers without degrees, without the educational attainments which are now required as essential for appointment to the Subordinate Executive Service, and which might very often be better performed by men of active habits and physically stronger, and who can knock about and ride. There are certain duties in every district which have to be performed, and which might be performed by a class of officers who might conceivably, and perhaps more advantageously, be recruited locally as you have suggested.

39808. And confined to each Commissioner's division as far as promotion goes ?—Yes.

39809. Can you tell us how this grading of Deputy Magistrates was brought about ? You have got a grading ending with the seventh class, containing 59 officers. How were those grades made ? Were they simply handed over from Bengal in a haphazard fashion ?—It is a difficult question to answer. It has come down from many years. It is more or less haphazard now : it has reached the stage of being haphazard.

39810. You would agree that this grading is hopelessly wrong ?—It is my opinion that it is seriously defective.

39811. And produces blocks which it is very necessary to avoid in the future ?—Yes.

39812. And therefore you would suggest a regrading of the whole Service ?—Unless a time-scale is introduced.

39813. You do not know whether the same thing applies to Munsifs and Subordinate Judges ? I am told that it does to a large extent.

39814. (*Mr. Chaubal.*) With regard to your scheme for a special College, you propose that as a means to satisfy the larger aspirations of Indians for employment in the Service, do you not ?—I should like, as far as possible, to meet the legitimate aspirations of Indians.

39815. You propose it for that purpose. It ought to satisfy them ?—I do not say it ought to satisfy them. That is the object with which I made the proposal.

39816. But this cry for satisfying them by way of simultaneous examination proceeds from that class whom you have described as having *quasi*-democratic ideas : the cry for simultaneous examinations proceeds from men of those opinions, does it not ?—Sometimes it does.

39817. Do you think this special College would satisfy those who have raised the demand for simultaneous examination ?—That I cannot say, nor have I considered it.

39818. In answer to question (19) dealing with the age problem, you say : " The general view is that the younger age limit is the more advantageous." Whose general view is that ?—Those whom I have consulted on the subject.

39819. Indians or Europeans ?—Both Indians and Europeans.

39820. You are aware, I suppose, that after the last Public Services Commission, when the age was increased, that recommendation was largely based upon the evidence which was laid before the Commission which went to show that the younger age was unsuitable ?—I cannot say what the evidence given before that Commission was, but I know what the conclusions of the Commission were. I think upon this particular point they were somewhat erroneous. I know that Mr. Wren, of whom you may have heard, and who had a well-known establishment in London for teaching young men to pass examinations, was of opinion that the younger age was distinctly in favour of Indians, and I think he had considerable reason for knowing.

39821. I can quite understand that the younger age would be necessarily profitable to institutions of that kind ?—That is possible ; and I think he could claim to be an authority upon this subject.

39822. I do not myself know, but I have heard it said that if you reduce the age it is likely to encourage crammers' institutions more largely ?—That is another question.

39823. I ask you, because, so far as I have been able to gauge Indian feeling on the point, and from evidence brought before us in different Provinces, they all seem to think that if the age is reduced, it will be practically impossible for Indians to pass ?—I noticed that, and I was astonished to see it.

39824. Does it not resolve itself into this : you say that because you think that a larger number of Indians would be able to go and study at home if the age were reduced ?—I have not said that ; at least, I am not aware of having made such a statement.

39825. There is your recommendation for going home and studying at that special College ? —My recommendation is that a College should be established out here for special study with a view to passing the Indian Civil Service.

39826. I see from your answers that you are aware the earliest age for graduation here is twenty ?—About that.

39827. Sixteen is the age for matriculation, and the College course for the B. A. is four years,

so that the earliest age at which a man can get through his first degree here is twenty?—Yes.

39828. We have had evidence from educational experts in the country who say that that degree is not enough, that it wants two years' further study at a University in order to enable Indian boys to come up to the standard of the University curriculum?—I am proposing two things, one of which is that the age limit should be reduced to seventeen or nineteen, as it was once before. My other proposal is that a special institution should be established in this country, not only for the purpose of training young fellows to pass into the Indian Civil Service, but also to act as a model institution. I think the Government ought to establish a model institution out here.

39829. That is for the purpose of improving the tone of the general education in the country?—It ought to have that effect, if it is established on proper lines.

39830. I am now confining myself purely to the aspect of it which enables it to catch boys for the Civil Service course?—In referring to the question of taking a degree at the age of twenty, are you not assuming that the University course is to be passed before going up for the open competitive examination?—That is not my proposal. I would take young fellows in before they enter upon the University course.

39831. Do you think that if you propose the examination at the age of seventeen to nineteen, unless the curriculum is considerably reduced Indian boys will be able to appear?—I think the question of the curriculum will have to be reconsidered, no doubt.

39832. In answer to question (66) you say: "I think that officers who elect for the Judicial Branch of the Service should be required to perform, for fixed periods, the ordinary duties of a Munsif and of a Subordinate Judge." I should like to have your opinion upon a phase of this same question, which was suggested elsewhere, that the young Civilian after he had studied his language should be made to sit on the Bench along with an experienced Subordinate Judge of twenty years' standing, for, say, six months, so that he might have the advantage of seeing witnesses appear before him while he is sitting along with an Indian Judge, and that it will be a considerable help to improve his knowledge of the vernacular in which the witnesses are being examined. Do you accept the variation that instead of sitting by himself as Munsif he should sit for six months along with a Subordinate Judge?—That would be rather a waste of time. Two officers would be doing the work of one, would they not?

39833. That is what Benches always do?—Personally I am not much in favour of Benches. I see no objection to him going into a Subordinate Judge's Court for the time being and watching the procedure; but to make him sit alongside of a Subordinate Judge for six months on end would be waste of time. He is more likely to pick up the work quicker if he has to do it himself.

39834. Would it not enable him to do it better when he sits singly? It is only from that point of view that it was suggested?—That I am not prepared to say.

39835. In your answer to question (104) with regard to the rate of two-thirds of the pay, we have had considerable evidence from persons who are acting in these posts, and also from outsiders, who think that these gentlemen who perform the same duties as the Indian Civil Servants should receive the same pay as Indian Civil Servants, and that the two-thirds pay is not proper, that their style of living and their ways of living have considerably changed, and that there is not now the same cogency about the arguments which were originally deduced as to the lower limits of salary. In cases where you find members of the Provincial Civil Service fit enough to be entrusted with the responsibilities of headships, two-thirds pay would be insufficient salary, and would only conduce to their being marked as Subordinate officers, and as being in a sort of lower status?—I do not think any such stigma should attach.

39836. It is said that it is considered to attach because of this?—They may say so, but I do not agree in this. I agree with the principle recommended by the Public Service Commission of 1886 that the pay of the members of the Provincial Service should be fixed irrespective of the pay of the Civil Service.

39837. But they are not men of the Provincial Service?—They are holding listed posts.

39838. Yes. They are members of the Provincial Service who are promoted to certain definite posts?—They were members of the Provincial Service, and their style of living cannot alter at a moment's notice.

39839. It has to?—I do not agree that it has to. I speak with considerable experience. I have seen the way these gentlemen live both as members of the Provincial Service and as holding listed posts.

39840. You think there is nothing in what they say that if they hold these listed posts they are expected to observe a higher status in life?—They do get an increase of pay on attaining a listed-post, which enables them to live in a better fashion. I should be very pleased to see everybody get increased pay!

39841. Why should they not get the same pay as persons performing the same duties? Why should not those who perform identically the same work get the same salary?—This question has been gone into on many occasions. I am not prepared to go into all the arguments, *pros* and *cons*; but my conclusion is that it is not necessary they should draw the same pay; and I do not think any stigma should attach to such officers.

39842. In so far as you have observed, you do not find that these gentlemen who latterly filled these listed posts are anxious to send their children home to England. Though their style of

living may not come up to your standard, as a matter of fact they do have to spend much more. For instance, I can tell you that I spend much more now than when I was at the Bar, and I should be very glad to spend only as much as I did then. But, naturally, that is the evidence they do put forward for consideration?—It is natural that they should want an increase.

39843. But the mere fact that the Commission of 1886-87 came to that conclusion is not the final word. Since 1886-87 circumstances have changed, they say, which make it more desirable that the two-thirds salary should be increased?—Personally I do not think it is necessary. They are living in their own country, and they can live cheaper than members of the Indian Civil Service who are not accustomed to the same style of living. I may cite the case of Englishmen who are sent on furlough and on deputation to Europe. They only draw two-thirds of the pay that they draw out here. I think, on analogy, it is reasonable that members of the Provincial Civil Service serving in their own country ought to draw two-thirds of the pay that the European members of the Civil Service draw.

39844. If it is a saving to the revenue of the country of one-third, then, naturally, if efficient work in those posts can be done by Indian agency, they should be increased as largely as possible. Take the case, for instance, of the Judicial heads of Districts, District and Sessions Judges. If their work is as efficiently done by fit and competent persons in the Provincial Civil Service, and if their employment costs less to the revenue of the country, then that agency should be much more largely employed. There would be no occasion for employing an agency which costs more to the country?—The way I look at it is this. If you can get these duties adequately performed for two-thirds of the pay you give to Europeans I consider that there is no necessity to raise the pay.

39845. I am not now speaking of raising the pay. If it is an advantage to the revenue of the country that the work should be done by a larger number of people getting these two-thirds . . .—? Provided it is equally efficient.

39846. I am assuming that?—I say, provided. It is a very big assumption.

39847. If the big assumption is assumed, then I suppose there would be no objection to do that?—If the work can be done as efficiently and as well by men on lower pay, there are certainly very strong grounds for employing men on the lower pay.

39848. I will put a concrete case to you. I do not mean to say that the whole Service in any one branch is going to be recruited, but, in my province there are only two Judgeships given out of twenty-two. Supposing there are seven or eight, and if we are assured that you can find eight competent men out of a total cadre of twenty-two Judicial heads of districts who will be able to perform the duties of those posts efficiently, I think the suggestion ought to be accepted that if the work is done efficiently by those persons, instead of having only two posts left open, there should be a larger number left open, because the work is done as well, and the charge is less?—The whole question turns upon the word "efficiency,"—what is the *standard* of efficiency?

39849. With regard to your answers (120) and (122) you consider it to be anomalous that a barrister Judge should get Rs. 1,200 pension after eleven and a half years' service: is not that so?—Perhaps you will read the rest of what I have said. The anomaly consists in the fact that a member of the Civil Service after 25 years' service, and after earning, and paying so much towards, his own pension, has to serve another 11½ years in the High Court to get the pension which a barrister or vakil Judge can get after 11½ years' service, and without that previous Government service.

39850. My question was only intended as a preliminary question. As regards what you are now saying, it is the case of no pension in one case, and at least £1,000 in the other. If a barrister Judge does not serve for 11½ years he gets nothing, but the Civilian Judge, even if he serves for one or two or three or five years, gets at least £1,000. There is something in that, I suppose?—No, I do not think so; because the barrister has been serving at the Bar, and in many cases has been making a small fortune at the Bar before he joins the Bench.

39851. And also giving up a fortune when he accepts the Bench?—No doubt he has got his eyes open.

39852. My real question is this, that you actually propose that he should draw a pension after five years' service?—I have made no such proposal.

39853. I answer to question (121) you say: "Lieutenant Governors would get £1,500 and Judges of the High Court £1,250 after five years as such?"—That is an increase of pension after five years in the High Court. That is another question altogether.

39854. You say that it is only the Civilian members, the Civil Judges, who would get this enhanced pension, and not the others? Is that your proposal?—It is, certainly.

39855. That the pension should be raised to £1,250?—Only in the case of Civilian Judges.

39856. And in the case of barrister Judges?—Let them get the pension as it is.

39857. Would you give any pension to a barrister Member of the Executive Council?—That I am not prepared to say. I have not considered that question. I do not think it arises from any of these questions; and I am not prepared to give an answer off-hand.

39858. With regard to your proposal about changing the rules for employment in the Judicial branch, I should like to be clear about it, because it is really a very important point. It is important for this reason. In some provinces the age limit at present is 30, and in other provinces we have seen it raised above 30 to 35 in one province. How would your proposal to

reduce the age work properly if in certain places the supply is much more than the demand? Take the B.L. who passes his LL.B. degree at the age of 22. So many pass the LL.B., and there are only five or ten vacancies in the year; then, in order to get in your recruits for the Judicial Service, you have to wait such a long time, and unless you are going to chuck out all those who passed in the previous year, and take only fresh recruits of recent years, is it not likely that it becomes unreasonable?—Would you not make the selection every year?

39859. Then that means that those who have taken their LL.B. degree in the previous year would have no chance?—The same thing applies to all the Services.

39860. (*Mr. Fisher.*) With regard to your scheme about the college in India, would you, with your Indian experience, say that it was comparatively easy to get parents belonging to different classes and communities to send their boys to the same school?—Yes.

39861. You do not think there would be any difficulty upon that score?—I do not think so.

39862. I suppose that the curriculum of your school would be mainly adjusted to the conditions of the Indian Civil Service examination?—Largely. At all events, that is my idea.

39863. Whereas, I suppose, the curricula of other schools in India would be mainly adjusted to the B.A. Examination at the Indian University?—Yes, as I understand.

39864. You do not think there would be any inconvenience in that divergence of curriculum. The sort of thing I had in my mind was that perhaps the boys who had been trained in your proposed Institution, and having failed for the Indian Civil Service, might find that they had not taken the right line for the B.A. degree?—I have suggested that boys sent home and who failed, provided they did not absolutely loaf at home, should be put into the Provincial Civil Service. I have made that suggestion.

39865. You think that would meet the difficulty?—Yes.

39866. With regard to the competitive examination, I see you attach great importance to the *vivâ voce* examination?—I do.

39867. Do you think it is really practicable to have an efficient *vivâ voce* examination in each of the 38 subjects which are now prescribed for the Indian Civil Service?—It is certainly a large number, but I think the number of subjects might be reduced. I was not aware that there were 38 subjects.

39868. Some subjects admit of *vivâ voce* examination more easily than others. For instance, it would be difficult to give a good *vivâ voce* examination in higher mathematics?—That I would leave. I am not a higher mathematician myself. But I certainly think that a *vivâ voce* examination is most essential.

39869. Of course there was a *vivâ voce* examination when you passed?—Yes, there was; I think in every subject—as far as I can recollect.

39870. Then the examination was at an earlier age?—It was; and I propose that it should go back to that age.

39871. I take it that it would be easier to restore *vivâ voce* in a school-boy examination than it would be in the present very elaborate University examination? Would you not say that that would be the case?—Yes, it would be easier.

39872. That, therefore, would be an additional argument, from your point of view, for lowering the age?—Yes; perhaps so.

39873. With regard to the period of probation, do you advocate a three years' course at the University?—I do.

39874. In your period the candidates are to take a course of Indian studies at the University?—I should like to see it if it were possible. That is not a matter which I can speak upon with any authority. If possible, I should like to see a special course which not only members who have passed the open competition would go in for, but also other young men who propose to come out to service in the East in any capacity. I think, for instance, that the larger firms of merchants in the chief ports of India and in the East would be very glad to get men who had been through a University course with special reference to Oriental conditions.

39875. I take if from your answers that the main part of the course should be linguistic?—It would be an importart part. I would suggest that there should be a classical language, and one vernacular.

39876. I take it that the classical language would vary to some extent with the province to which the Civilian had been appointed?—It certainly should.

39877. He would take Persian if he were appointed to the Punjab?—Yes; and Sanskrit if he were appointed to Bengal.

39878. I notice you are very strongly in favour of the restoration of the system of reporting law cases in London?—I think it was a very good training. I do not know if anything else can be arranged as a substitute.

39879. You would also wish your student at the University to undergo a general academic law course. Would you like him to learn the elements of Jurisprudence?—Yes.

39880. And the English Common Law, such a book as Holme's Common Law?—Elementary treatises on Law.

39881. What I had in my mind was a sort of combination between the school of Oriental Languages which exists at Oxford and a school of Jurisprudence, a combination of that kind?—Yes, if it could be worked.

39882. So that one could avail oneself of that material if it existed in the University?—Yes.

39883. You lay great stress upon your probationer being sent to Oxford or Cambridge. Would you tell me why you think those two Universities should be selected?—We could not expect many Universities to provide a special

course; but if we limit it to two, say Oxford and Cambridge, we are much more likely to have a sufficient number of young men going in for this course to justify the authorities in making special arrangements. It would be hardly fair to ask several of the Universities to do so.

39884. Do you lay stress upon the necessity for having a considerable body of students in one place pursuing the Indian curriculum?—I do.

39885. Even if several Universities were to come forward and offer the requisite instruction, you think it would be a disadvantage that your corps of Indian students should be widely dispersed?—I do. I think they should be in close touch with University work. If there are only a few at one University or College they are much more likely to form a class apart.

39886. (*Mr. Madge.*) In your answer to question (2) you say that you are in favour of making the conditions and prospects of service more attractive to ensure the recruitment of a high class of candidates. This question contains two other distinct questions. The first is the test of character and the next is the providing of sufficient attraction. Have you thought of any plan of attracting a class of young Indians who have not been hitherto attracted?—No, I have not.

39887. It is worth while considering it. You often come across in independent careers men of high character and great talents of whom you naturally express a wish that they had been captured for the public service, not for their own good but for the good of the Government and the country, and you have not thought of any method of attracting them?—I have not thought specially of this aspect of the case. The question has not been put to me.

39888. And you would not care to offer an opinion on the spot on such a big question?—No; I would rather not.

39889. Turning over to your suggestion about a special college, would you be in favour of the model of the Rajkumar College, or of that special class?—I cannot say. I am not acquainted with the work of the Rajkumar College. Which one is that?

39890. In Kathiawar and elsewhere there are Rajkumar Colleges?—I am not acquainted with their actual working.

39891. I am no more an expert than you are, and because it was suggested to us I ask you. If you have such a college established in India would it be possible to secure a succession of efficient teachers?—Unless it is possible, it is no use establishing it.

39892. But you would not give an opinion whether it is possible or probable?—If the terms and conditions of service are made sufficiently attractive, I think it is quite possible.

39893. Conditions here are quite different from those prevailing at Home where you have an abundance of material?—I would recruit from England the very best. I would offer such terms as would attract the very best men from England.

39894. You do not approve of the simultaneous examinations in this country. Do you think that, if they were introduced, they would have an injurious effect upon education in general leading to cramming and other things?—Yes. I am inclined to agree with those who take that view.

39895. Then there is also this to be considered, not only the possible but the probable result that, among the Indian students who pass here, there might be those who obtain a larger number of marks than English students in the examination at Home; and if any proportion were settled as to the number of Indian students here to go in in any particular year, or for the matter of that, English students, this might involve that men who had passed lower than others would be selected in preference to those who passed higher?—The men who get a larger aggregate?

39896. A large aggregate of marks?—Yes. That might happen at times.

39897. Do you not think that it is exceedingly probable?—Yes.

39898. Either way—whether it be European or Indian students?—It is certainly probable. There would be a discrepancy in such cases—either one way or the other. I am most strongly opposed to simultaneous examination. I may say I have not advocated simultaneous examinations.

39899. It is on that ground why I am putting to you one of the most serious objections against it?—That certainly would happen and it is most likely to happen.

39900. One witness spoke of it as a farce. Is it not a tragedy? Whichever student is victimised he would have great grounds of complaint?—They would certainly be discontented.

39901. There would be serious discontent and dissatisfaction at the whole system, that could produce such a result?—There would be dissatisfaction.

39902. In one of your answers you suggest a system of selection of communities after the examination. Is it not possible that a somewhat similar result might turn up there?—Might I ask you to refer me to my answer?

39903. It is an answer that you gave to-day?—I said that the different communities should be represented as far as possible.

39904. That is in your written answer. But in reply to a question put to you by the Chairman or another Commissioner, you thought that a selection might be introduced into the matter?—At what stage is it to be? I do not recollect what I said.

39905. It will have to be after the examination; it could not be before?—You mean the examination preparatory to sending young fellows to England.

39906. I am sorry I have not made a larger note of what you said?—I think regard should be had to the representation of different communities.

39907. I want you to look at it in this way. You are considering the interests of individuals rather than the efficiency of public service if you would descend to matters of community in large public questions of that sort?—I regard it as important in the interests of the public service that different communities should be represented.

39908. We have had that view and we will no doubt attend to it. Do you think, or do you not think, that the country as a whole, including the masses, are satisfied with the present system of administration?—I think generally the masses are satisfied with the present system of administration.

39909. But not a limited class?—There are certain limited classes who are not satisfied.

39910. Do you think, or do you not think, the Government are bound to consider the interests of the great majority in this matter?—Certainly it is essential that they should do so.

39911. With reference to the objections to the simultaneous examinations, you refer to a leakage of papers, because these leakages actually occur. Do you think that any certain guarantee could be given to the public against such leakage?—I do not see how any such guarantee could be given. Probably you are as cognisant as I am myself of the numerous cases of leakage of this kind.

39912. I want something on record as regards your opinion on this matter, as you are an experienced official?—There are numerous cases of leakage of this kind.

39913. You do not recommend any separate method of recruitment for the judicial branch of the Indian Civil Service. In answer to question (88) you recommend that no differentiation should take place during the first five years. I presume your answer to question (13), is based on the fact that you attach some importance to the general knowledge and the experience of the country gained by officers in the exercise of both their Executive and Magisterial functions?—I think I have said that specifically. I have referred to that training as equally essential to all officers.

39914. You think it is valuable?—It is equally essential.

39915. You do not think that the separation ought to be about five years? It should be rather early: five years is only an estimate. If it were six years, I should not object.

39916. Did you ever see a circular issued by the Government of India some four years ago in which a period of nine years was not fixed but, suggested?—I am not aware of such a circular. I would rather fix it before the first furlough. It is better that the bifurcation should take place before the first furlough.

39917. At any rate somewhat beyond five years?—I am not very anxious to confine it to five years. I think, however, five years would be sufficient.

39918. I do not know what the opinion of the other Commissioners is, but, in my own mind, I want to make an average from what different officers of experience may say on the subject?—It may be five or six years. I do not want to lay down any rigid limit.

39919. With reference to the attractiveness of the service you quote some very beautiful remarks on the attractions of the Indian and English careers. But you have got to take into account the vaulting ambition of young men to over-shoot their mark, in view to try and translate these abstractions into the practical conditions of life in this country. Do you really think that the adventure, supposing the young student had his own way, would be against his stopping at Home?—Adventure?

39920. The adventure and the whole prospects, apart from the object of life itself, of the career—does it not attract him?—My view is that the attractions were much stronger before, as I have said. I have fully stated my opinion on this subject.

39921. As regards the attractiveness, you do not think that *pro rata* increase of pay, the abolition of contributions for pensions and other facilities, would remove all the existing difficulties?—I do not think they would. There are many grounds for the falling off.

39922. You attach great importance to the *vivâ voce* examination about which you have been already questioned?—Yes, I do.

39923. Do you think, or do you not think, that an examiner gains a great deal from a personal examination, that cannot be obtained otherwise?—If he is a good examiner, a practised examiner, he will elicit a great deal from oral examination which he could not elicit from reading the written answers.

39924. In some respects resembling the advantages which a Court of first instance gets from the demeanour of a witness?—Certainly, the case is very analogous.

39925. Do you not think that it is absolutely necessary that in such an examination there should be the same examiner and there should be the same standard of examination?—Certainly the standard should be the same.

39926. In answer to question (24) you refer to a fair proportion of Indians in the Indian Civil Service. You are in favour of gradually increasing the number of Indians in the Service with the necessary qualifications. We have had it frequently brought out before us here that the present proportion in some way or other—that has never been fully explained—involved a breach of promise made in Proclamations, in Statutes and so on. Do you or do you not think that the Government have been deciding on this matter mainly, if not exclusively, by the competence of the man whose claims it has to consider?—I do not admit that any breach has been made. I do not admit that there has been any breach of promise. Will you refer me to the particular statute you have in view?

39927. It is stated that a race bar shall not stand in the way of a man rising to a particular appointment?—That is the 1833 Statute.

39928. Subsequent declarations are also relied on?—The Statute of 1833 says that a Native, by reason only of his religion, place of birth, descent, colour or any other reason shall not be disqualified from holding, etc. It is "*only*" on these grounds. That is all it says.

39929. What I meant to say was that proclamations have been quoted as involving a breach, in which I do not agree. I want you to say whether you think or do not think that the Government is exclusively guided by the efficiency of its officers?—Yes.

39930. (*Mr. Abdur Rahim.*) I should like to understand something more fully about your scheme for a special College. I suppose you would like to attract to that College the most brilliant of our young men?—Not necessarily the most brilliant, but those who are likely to serve their country best.

39931. Who are most likely to be successful in the Indian Civil Service: that is what I meant by "brilliant"?—Those who are likely to do credit to their country, if they are enlisted into the Indian Civil Service; not necessarily brilliant. There are other qualifications required besides being brilliant.

39932. I meant those who would have a fair chance of succeeding in the examination?—Yes.

39933. You would like to recruit your boys from all over India. Would you have one College or more than one?—I have made a suggestion for only one. But whether it should be one or more or how it is to be conducted I have not considered. I have merely thrown it out as a rough suggestion.

39934. I want to understand it more fully, because it has some points that attract me. I suppose it would be on the lines of the English Public School?—I would like to see that.

39935. Up to what age will the boys be there?—Up to the ordinary school-leaving age.

39936. 17 or what is it in England; I do not know?—17, 18 or 19. That is from 17 to 19.

39937. Would your College enable boys to go up for the examination straight in London?—Yes.

39938. Then you will have a University course?—Yes, certainly; I would make them undergo that.

39939. I understand that you will have the staff, the curriculum and the discipline, so fashioned as to give the same advantages as an English Public School does, as far as possible?—Yes.

39940. And you want to provide for the representation of communities by taking boys belonging to different communities and provinces. That is how you want to provide for the representation of the different communities, so far as Indians are concerned in the Indian Civil Service?—I say that some provision should be made for having the different communities represented. As to the details of the subject and how it is to be worked out, I would leave them for thorough consideration by a competent committee. I am not prepared to give any details of the scheme.

39941. You have thought about the constitution of the Committee?—To this extent, I think the Educational Department of Government should be represented as well as the executive side of the Government on that Committee. Europeans and Indians should be there; both communities ought to be represented.

39942. I suppose it will be a fairly expensive College?—It would be, distinctly.

39943. Would you make any provision for exceptionally brilliant boys belonging to poorer parents, by any system of awarding scholarships?—You mean that we should admit them as free students or at reduced rates of fee?

39944. What I mean is scholarships?—I would have no objection to a system of scholarships, just as there are scholarships at Eton and Rugby.

39945. One of the strongest arguments for the simultaneous examinations is that by holding the present examination in London, you exclude the best talent in the country, if boys happen to be poor?—One of my suggestions is that their passage home should be paid. If you will kindly read my answer, you will see that I have suggested that the passage home should be paid; not only that, but an extra allowance should be given to cover incidental expenses.

39946. I do not mean that. It was in reference to my suggestion of scholarships being provided?—I have got no objection to scholarships being established just as you have them at English schools, at Eton and Winchester, where there are scholarships. Those are matters of detail which could be worked out by persons competent to do so.

39947. With regard to listed posts, a suggestion has been made to us by several witnesses that we might usefully appoint the listed posts men at an earlier age than that at which they are appointed at present, and it has also been suggested that they might be induced to go to England for a course of studies for a year or two. Take officers after 7 or 8 years' service; if they are found to be exceptionally able men, select them for listed posts, and send them to England for a year or two for special study. In consideration of such a proposal, would it still be necessary to give them only two-thirds of the pay? Would it not be advisable to give them the same pay as the pay given to other officers holding the said posts?—In consideration of that proposal?

39948. Supposing that were to be adopted?—A proposal of such a nature would not influence me in recommending the same pay to these officers.

39949. They would be receiving some portion of their education in England and that might change their style of living?—A two years' course you suggested, I think.

39950. Yes?—I do not think that would be of much effect.

39951. Do you not think it would change their style of living?—No, except perhaps in dress.

39952. That is all?—They would probably come out with the latest style of coat and colour of tie.

39953. I have information that, so far as the subordinate service is concerned, the division of the cadre that has been made is not quite satisfactory in this province. That is to say, the men who are at the top grade are much younger than those who have been allotted to Bengal?—That is not within my province.

39954. You have considered that?—No. I have heard complaints to that effect. It is for the Chief Secretary to deal with questions of cadre. I believe that the complaint is substantially correct.

39955. What is the Barbour scheme that you have referred to? Can you give me the date of it?—I cannot give you the date. I think it was some time in the nineties, when Sir David Barbour was in the Service.

39956. I should like to know if recently there has been any particular investigation as to both the branches of the provincial service and what can be done to relieve the congestion; has there been any recent investigation into that question by the High Court or by the Government of Bengal?—No special investigation, that I can remember.

39957. No definite suggestions have been made?—It has been frequently suggested that the cadre should be increased.

39958. Any definite suggestion as to what the number should be?—Such suggestions were made, I think, ten years ago by the Bengal Government, when certain concessions were made and certain increases were allowed.

39959. Does any system prevail for appointing in the judicial branch of the provincial service men temporarily as Subordinate Judges from the Munsifs' rank or as Munsifs in order to relieve the congestion of work?—I do not catch the question.

39960. Are any temporary appointments made in the judicial branch of the Provincial service to give relief to officers?—I am not aware of such temporary appointments. Temporary assistance is given to different districts when the High Court finds the file congested in any particular district. Then it drafts another officer from another district to assist the officer in the particular district in clearing the congestion.

39961. You think that Persian might usefully be added to the subjects for the competitive examination?—Yes.

39962. Do you suggest it in lieu of Arabic or in addition to that?—I suggest that Arabic and Persian should both be subjects.

39963. Would you exclude a man who takes up Arabic from taking up Persian?—I think I would, on the whole.

39964. It has been suggested against Persian that Persian with its Grammar is a very easy language, especially for a Muhammadan, to pass and on that ground it ought not to find a place in the open competition. Do you agree with that?—I do not.

39965. Will you kindly tell me what influenced you most in suggesting Persian? I think you have said that it would be very useful to the men in Upper India?—Yes, in Northern India, because Urdu is based more or less on it. Urdu is a mixture of Persian and Hindi.

39966. I take it that, in studying Indian History and subjects of that nature, Persian would be specially useful?—If one were to read Indian histories. Most Indian histories are written in Persian, those relating to the Muhammadan period at all events, A knowledge of Persian is in itself essential and useful in certain parts of India.

39967. As regards a portion of the Judges of the High Court, you consider that a Civilian judge should get his full pension of £1,200 after five years. Is that it?—After five years' service on the High Court, in addition to his previous service, I recommend £1,250.

39968. I should like to know whether you have considered this aspect of the case—would not this additional pension of £1,200 or £1,250 be an inducement for a judge to serve out his full term?—I think it would. It would distinctly be an inducement.

39969. I suppose after five years there would not be any inducement for him to stay on any longer?—Except the ordinary inducement which other officers have to stay on. There are many who stay on after they have earned the so-called £1,000 pension.

39970. Is it not desirable, if possible, that he should be induced to serve out his full term? Why should the country lose his experience?—I have said so in answer to one of these questions, that it is most desirable to get these men to stay in the country and that the country should not lose the experience of officers who are still in good health.

39971. Still if he earns £1,200 after five years, there would be no further inducement for him to stay on for 11½ years?—There would be the same inducement as there is for an officer who earns a pension of £1,000 after 25 years and stays on after the 25 years.

39972. There would be no additional inducement?—No *additional* inducement.

39973. I suppose you are aware that the pension of High Court Judges is based upon special considerations of service in the High Court?—I am not aware of any special considerations, influencing Government to fix these special pensions.

39974. I wish to ask you one question regarding the separation of Judicial and executive functions. You suggested that appeals from second and third class magistrates may be heard by Sessions Judges?—Or by Additional Sessions Judges.

39975. As distinguished from the District Magistrates?—Yes.

39976. The result will be, I take it, that the District Magistrate will not hear any appeals from

Sub-Magistrates ?—No doubt that would be the result.

39977. Then what would be the reason for keeping the supervision of Sub-Magistrates in the hands of the District Magistrate, as he would not be familiar with their work ?—Oh yes, he will be.

39978. But the District Magistrate does not hear appeals ?—That is not the only means of acquainting himself with the Subordinate Magistrates' work. There are many methods by which the District Officer keeps himself acquainted with subordinate Magistrates' work.

39979. Will you kindly tell me how ?—The inspection of their registers and records.

39980. Does that give him an idea of his judicial work ?—Yes, certainly.

39981. By merely inspecting his registers you can know how a Magistrate does his work ?—To a great extent. He sees how he tries his cases.

39982. By inspecting his registers ?—From the records as well. He can call for the records and look into them.

39983. But the officer who will really be in touch with his work will be the District Judge ?—No. I do not admit that. I have not said that.

39984. Although he hears appeals ?—To that extent he will be in touch. If he hears appeals from an officer, he is bound to be in touch with his work.

39985. You do not think that a District Judge would be in a better position to know the judicial capacity of the subordinate Magistrates ?—Possibly as to their judicial capacity no doubt ; as to their judgment and as to their power of weighing the evidence on the record, no doubt.

39986. That is to say, their capacity to try cases ?—In certain respects.

39987. (*Sir Theodore Morison.*) I want to ask you a few questions about your College. Do I understand you to say that its principal characteristic is the difference in curriculum from the ordinary system of education in this country ?—No. It would be the principles on which it is run. The curriculum would be a minor point of difference.

39988. The curriculum is to be modelled upon the competitive examination—I mean that the curriculum of studies is to have in view the examination for the Indian Civil Service ?—Yes. But it would not be necessary to model it on that, just as the curriculum of an English public school is not modelled on that.

39989. That would be the object ?—Yes. In the English public schools in my day most of the subjects that were prescribed for the open examination were taught at school : Latin, Greek, Mathematics, German and Italian, &c. Practically all these subjects were taught in school.

39990. That was so, because the examination was modelled upon the education existing in England. But you are now inverting the process ?—Certainly not. I do not invert the process. I want to adopt the English model of education,

39991. You are not modelling it upon Indian education ?—No.

39992. You are devising a curriculum which will be suitable for this examination ?—Yes, and modelled upon the English school curriculum.

39993. You would not insist upon Latin and Greek, though they carry high marks in the examination ?—They might be optional.

39994. You are prepared to give way in that direction ?—I would afford facilities to young men to learn Latin and Greek.

39995. Because they carry high marks in the examination ?—Yes.

39996. For the sake of that examination you are prepared to give education in India which you would not give unless that examination were in view ?—Yes.

39997. You mean, broadly speaking, that other educational institutions do not pay much attention to character ?—That is one of the objects I have in view.

39998. That is hardly just to a number of institutions that are trying to do their best ?—I do not wish to do injustice to any of the institutions.

39999. For instance, the Rajkumar College—do you know anything about it ?—No.

40000. Do you know anything about the Talukdars' School at Lucknow ?—I do not. I have only seen the results.

40001. You have three Universities on the horizon ?—Yes, on the horizon.

40002. As this too is ; rather it is below it. What I want to put to you is, suppose you have a curriculum which is entirely outside the scope of the ordinary Indian education, what are you going to do with a large number of men, who will not rig up for the Indian Civil Service examination. There is a considerable amount of wastage in all the schools—people who cannot go up above a certain standard and who are left with a knowledge of a small amount of Latin and Greek ; they will be unfit for anything and would not be able to pass on to any other school ?—Still they would have a very good liberal, general education. They would have a better chance of getting into service than the failures of other institutions where the students have not had the same training.

40003. You know that the people who pass the Entrance Examination, which is half-way house between the high school and the College department, are able to get entrance into Government service ?—Yes, into lower grade clerical appointments.

40004. The intermediate examination is again a half-way house with College, but still it has some value ?—Yes.

40005. What about the upper fourth boy who knows Latin and Greek ?—There might be similar tests introduced for them and the Government might say that anyone passing that test will have the same advantage as the students

passing the Matriculation or the First Arts Examination.

40006. My general feeling is that it is easier to fit an examination to an educational system than an educational system to an examination ?—No doubt that is so. There is no doubt about it.

40007. But you are still hostile to a separate examination ?—A separate examination in India ?

40008. Yes, for the Indian Civil Service ?—I am.

40009. Though you might insist upon their being prepared for it in certain institutions, which would train them ?—I am most decidedly hostile to a separate examination for the Indian Civil Service.

40010. There is only one other point which I wish to ask you. With regard to the period of probation, you want it to be spent in Oxford and Cambridge, do you not ?—I have given my reasons for suggesting those two Universities. There is a better tone at these places.

40011. There will be a larger number of men and a stronger *esprit de corps ?*—There will be less likelihood of forming a class apart. They will be more in touch with the influences of the University. If there is a small community of Indian Civil Service men in any University, the tendency is to form a class apart, and not to be in with the rest of the University.

40012. Would not that argument be all the more powerful if you would have them in one University rather than two, and your argument be doubly enforced ?—Yes, provided it is not in London.

40013. Provided it is either Oxford or Cambridge, but not both ?—I would not object ; but I will certainly exclude London.

40014. From what you are saying, I can quite see that it must be one of the Universities ?—Yes.

40015. Is it not really so, that all your arguments are in favour of one University and not two, and that the spirit of your argument is in favour of Oxford and Cambridge, but Oxford or Cambridge is the proper formula?—I admit that. My arguments do favour the selection rather of one, than of two, three or four—the fewer, the better.

40016. If the practical difficulties be overcome you will be in favour of one or two ?—I would accept the selection of one—one of these two. I will not say that I am in favour of one, rather than two. I would accept that one should be selected.

40017. If there is given a sum of money, sufficient for the good teaching of one language, you will not give half and half to Arabic and Persian ?—In that case I would prefer one to two ; I would have one more efficient rather than two less efficient.

40018. (*Mr. Maude.*) You have heard that there is an alternative to your proposal in reply to question (3) ; that is, to give scholarships for boys to go home. Your proposal is to have a College out here ; and the alternative is to send the boys home on scholarships. Have you any special reason for preferring your plan to that ?—I should like to know, under the terms of the proposal you are referring to, when the boys would be sent home ?

40019. At an early age, at the time they would go to your College ; at 14 or 15 ?—I have not seen that suggestion.

40020. Can you give any opinion on that on the spur of the moment ? Would it in any way be preferable to your plan ? Your plan comes to reproducing the model of English institutions in India ; but would it not be better to take the actual institutions in England as you find them and make use of them ?—I would rather prefer to see an institution started out here, chiefly because I feel that this is bound to come, and it is better that we should begin it. We must eventually have in this country institutions of the nature of public schools in England.

40021. I am asking that question because it is probable that one of these schemes will have to be adopted, and it is rather important to find out which would meet with the most acceptance, if we can do so ?—I think Indian parents would view with favour the proposal to have an institution out here, and that this would meet with their ready acceptance, because the boys would be nearer home and in their own country.

40022. Do you think that there would be any counterbalancing advantages in having boys at an English school, with all its English surroundings, at such an early age ?—There would be.

40023. Later on in the same answer you say that those who fail in the Indian Civil Service examination might be drafted into the Provincial Service of their province. Do you think from your experience that young men who had been to England, gone through that course there, having already gone through a College course first, would, as suggested by you, go into the Provincial Service : under the present conditions would they accept it ?—I cannot say whether they would or would not, but I think they ought to, and they would be thankful to get this rather than do nothing. They will make a fuss about taking it, no doubt.

40024. In your answer to question (18) you advocated going back to the earlier age, that is to say 19—21 for the examination, and 21—23 for coming out to India. It has sometimes been said, I believe, that there was much greater tendency to break down in health among the men who came down at an earlier age. Is that your experience ?—No.

40025. It would rather be the other way. According to your experience, those who come out at 24 and 25 are more likely to break down than those who come out earlier ?—I think the men who came out at a young age became acclimatised better and sooner.

40026. Do you think that it would be an additional argument in favour of your suggestion

that an earlier age-limit should be adopted ?—That is an argument in favour of it.

40027. With regard to question (88), about the separation of the judicial and executive branches of the Service, do you think that District Judges would be in a position to exercise the same control over the work of Deputy Magistrates as is now exercised by District Magistrates ?—I would confine their control to the decision of appeals.

40028. To meet the suggestion that, if appeals were taken away from the District Magistrates, there would be nothing left by which they could judge of the work of Subordinate Magistrates, you stated that they could send for the records and control them in that way ?—There are many ways in which they can control them.

40029. Do you think that they can exercise control in such an effective way ?—It is not a question of thinking. I know they can.

40030. Is it your opinion that Deputy Magistrates are in any way prejudicially affected in their decisions or otherwise in their judicial work, owing to the fact that they are subordinate to the District Magistrates ?—It is not so in my experience.

40031. In your answer to question (64) you have laid great stress on the training in magisterial, revenue and executive duties for officers who are to go into the judicial branch. Do you consider that to be a matter of very great importance ?—I do ; it is of very great importance.

40032. I am now turning to the conditions of the service dealt with in the concluding questions under the Indian Civil Service. A suggestion has been made, as you have heard from our Chairman, that the present system of grades should be superseded by a time-scale with selection for promotion to the grades of Rs. 500 and upwards, or something like that. Do you not think that a system of that kind will introduce certain very undesirable features into the Civil Service, when it comes to the question of selection for the higher grades ?—Undesirable features ?

40033. I do not wish to specify them. Do you not think that it might introduce an undesirable tone into the Service ?—I do. I quite agree with you.

40034. Therefore, you would prefer the present system of grading ?—Yes. That is my "sentimental objection" referred to in a previous answer.

40035. You would not approve of the time-scale, if it is accompanied by selection for the higher grades ?—No. I do not like the idea of a time-scale in the best interests of the Service.

40036. You are perfectly aware that different rates of pay for different grades exist for judicial officers which are considerably higher than the pay of Collectors and District Magistrates. Do you think that any sufficient reasons exist for the continuance of that differentiation ?—The reason underlying this is the necessity of offering an inducement to officers to take to the judicial line.

40037. Why do they object to taking to the judicial line ?—The feeling hitherto in our service has been—the feeling may not have been altogether correct—that the best officers are selected for the executive line.

40038. I know that it was so. Do you think that that feeling exists at all at present ?—I can only speak of the feeling up to the time when my own bifurcation came. Up to that time we certainly thought that the best men got into the executive line.

40039. But that was some time ago. But do you think that that feeling still exists ?—It has certainly died out to a considerable extent.

40040. But do you think that it still exists to a certain extent ?—Yes.

40041. Do you think that is a sufficient reason for giving them a higher rate of pay ?—No ; I would not say that. I take it that if the bifurcation took place at a more junior age, these questions would not arise so much, and that the grades of pay might be assimilated without any objection.

40042. You have suggested that the bifurcation should take place after five years' service ?—Five or six years.

40043. Do you think that should be accompanied by a readjustment of the grades, so as to equalise the pay of judicial and executive officers ?—As far as practicable.

40044. In your answer to question (109) you have stated that the present maximum furlough allowance of £1,000 is inadequate. Have you ever heard, or is it in your personal knowledge derived from your speaking to your friends and others, that those officers who now-a-days very frequently go home come out considerably or heavily in debt ?—I have heard of such cases, and I have known such cases.

40045. As far as you know, they were not cases of undue or wilful extravagance of any kind, but of just meeting the ordinary necessities of living at Home, up to the officers' accustomed standard ?—Yes. It is possible that one's standard of living is rather higher after serving in India for many years. But I have known that many men, without undue extravagance and without special expenses, got into debt on their furlough pay.

40046. Have you anything to say with regard to the travelling allowance on transfers. I think you have not stated anything in your replies under the conditions of service ?—At the end I have said something about it, with reference to the last question, *i.e.*, question (137). I have suggested that the actual expenses should, up to a reasonable limit, be paid.

40047. In your answer to question (40), under the head of the Provincial Civil Service, you say that there is a strong feeling among the members of the Provincial Civil Service that whatever the system the Provident Fund may be, it would be more suitable than the present system of superannuation pensions. Can you give me your grounds for that opinion ?—I have spoken to

many members of the Provincial Civil Service on the subject and I believe that, without exception, they have all favoured a Provident Fund.

40048. On what ground can you tell me at all? What is the main idea?—I think the main idea is that they would get a lump sum down.

40049. Which would benefit their families?—Yes.

40050. Otherwise they might lose the whole thing?—They think that it would be better to get a lump sum. They do not expect to live very long generally after they retire.

40051. (*Mr. Datta.*) I wish to ask you a few questions about the Provincial Service, specially the judicial branch of it. In answer to question (2) you say "I would suggest 24, *i.e.*, under 25, as the age limit for enrolment and 25, *i.e.*, under 26, for first acting appointment." Do you know the present arrangements for passing the B.L. Examination? What is the minimum age at which one can become an M.A. B.L.?—No, I do not know.

40052. Do you know that the minimum age for passing the Matriculation Examination is 16?—I do.

40053. When he takes the B.A. degree he is 20?—Yes, that is possible.

40054. That is the minimum age?—Yes.

40055. To become an M.A., he must be 22, *i.e.*, two years' course?—Two years.

40056. Then he must have a three years' course for the B.L., *i.e.*, he will be 25?—I take it that is correct. I am not aware of the length of the course for the B.L.

40057. You have advocated the attendance at courts, and that might necessitate the spending of one year, and so he must be 26 before he can be eligible for enrolment?—I should drop out that one year then.

40058. And that does not provide for any chance of failure or sickness. With these facts placed before you, would you not modify your answer by fixing the age at 27 for enrolment, giving one year's grace for chance?—I should like to see it as early as possible.

40059. That is the drift of your answer?—Yes.

40060. Without looking into the details?—Yes. I think that the three years' practice might be abolished.

40061. Not even one year, you would have?—No. I set no store by it.

40062. Do you not think that one year at least is required to know the ins and outs of the court?—No. The B.L. test is a rigid one.

40063. The drift of your answer is as early as possible?—Yes, so that they may have a fair chance.

40064. If you have 24 for B.A. and B.L., you must have 26 for M.A. and B.L.?—That follows.

40065. In answer to question (8) you have said that all communities at present are not duly represented. I would be the last person to take up any race questions, but at the same time I am bound to ask you whether Muhammadans are not duly represented?—I was not particularly thinking of Muhammadans.

40066. Then what do you mean by that?—Take for instance the Rajputs.

40067. There is not even a single Rajput in Bihar?—There are Rajputs in the executive branch of the Provincial Service.

40068. That is possible; but there is no Rajput B.L., which is an imperative test for the appointment?—That is possible. This non-representation is due to the backwardness of education.

40069. Practically it comes to Hindus and Muhammadans. They are the only two communities found among Munsifs and Sub-Judges?—A Rajput is a Hindu.

40070. He will come under Hindus. If I give you facts, would you like to modify your answer that Muhammadans are not duly represented?—I am not referring to them. I have said already that I was not referring specially to the case of Muhammadan representation.

40071. Then what do you mean by communities not being duly represented?—I gave you the instance of Rajputs.

40072. If you take the class of Rajputs, then there are a number of classes to be taken into consideration, and it would be impossible to have representation of all these classes?—For instance, the Kayasthas are too much represented; they are very largely over represented.

40073. However, I will give you some facts. Do you know the number of Hindu B.L's. Or else I will give you the figures. There are 5,800 Hindu B.L's. and 200 Muhammadan B.L's. I have taken the figures from the last University Calendar, and this comes to 3·3 per cent. as Muhammadan B. L's. If you take the joint cadre of Bengal and Bihar, which have been recently partitioned, you will find that the joint cadre is 287 for Bengal and 88 for Bihar, making a total of 375. The number of Muhammadan Munsifs is 28 or 7 per cent., *i.e.*, double the proportion?—Double the proportion of B.L's.

40074. The proportion, do you mean, of the class?—Of the class or community, not of the B.L's. in the community.

40075. You have the imperative necessity of being a B.L., if not you cannot give the appointment to anybody else?—If you will kindly read my answers, you will find that I have said that this undue representation or want of representation is due to backwardness in education.

40076. Due representation must be amongst the qualified classes?—I do not admit that.

40077. Then I will give you another thing. Have you seen the last census figures, in which it is said that Muhammadan males are only 12 per cent. in Bihar and Orissa?—Of the total population of males? That is possible.

40078. In the Bihar service, the cadre is 88 Munsifs and Sub-Judges, and the number of Muhammadan Munsifs and Sub-Judges is 20. That is, 21 per cent. If it be said that they are not duly represented, then I must say that the

Hindus are not properly represented ?—Those figures go to show that the Muhammadans are represented in the proportion of population, certainly.

40079. More than 12 per cent of the population ; they have got 21 per cent ?—May I repeat that in my answer I am not referring only to Muhammadans. I am considering all classes. My answer was that all classes were not duly represented. I have never said that Muhammadans in particular were not duly represented.

40080. But by all classes do you not mean Hindus and Muhammadans ?—I do not mean only Hindus and Muhammadans.

40081. By all classes you mean Rajputs, Kayasthas, Brahmans and others. Do you mean that ?—There are various classes besides Hindus and Muhammadans. These are the two main *religions.*

40082. What do you mean by classes ?—Not necessarily religions.

40083. By classes you mean Kayasthas and Brahmans ?—In some cases castes, and in some cases nationalities. Class is a very general term.

40084. In what sense have you used it ?—I have used it in its general sense. It covers all these. I specifically said at the beginning of my reply to the question, that I had not under consideration the particular case of Muhammadans.

40085. And you do not mean the Hindus ?—I have never said that Muhammadans were not duly represented in the judicial branch.

(The Chairman requested Mr. Datta to proceed to the next question, as the witness had already given the answer to the question put by Mr. Datta and there was no use in pressing him further.)

40086. You approve of two-thirds pay for listed posts ?—Yes.

40087. You do not approve of less than two-thirds pay ?—No.

40088. What is the pay of the third grade District Judge ; is it not Rs. 2,000 ?—Yes, it is.

40089. A third grade listed District Judge gets Rs. 1,200 ?—Is it ? I have forgotten that.

40090. Two-thirds of Rs. 2,000 comes to Rs. 1,333 ?—I should give him Rs. 1,333.

40091. You are prepared to give that ?—Yes.

40092. Another statement of yours for which the whole Service is thankful to you is that you think that the Service is undermanned ? I do.

40093. And the delay in the disposal of cases is due to the fact that it is undermanned ?—Largely ; not altogether.

40094 And no amount of supervision or goading will remedy that defect, unless the Service is properly manned ?—Not altogether.

40095. To a great extent ?—Goading might have considerable influence ; but this would not altogether remedy it.

40096. If it is properly manned, there may be greater control ?—A better control would have a good deal of effect.

40097. As at present manned, it is not possible to attend to that ?—I am ready to believe that.

40098. (*Mr. Hussain*). You have referred in answer to question (11) of the Provincial Civil Service that you would suggest the Registrarship in the Secretariat being thrown open to the Members of the Provincial Civil Service. Do you think that that arrangement will facilitate the equipment of the officer to take up the Under-Secretaryship, for which the Government is now in difficulty to find a suitable candidate ?—Yes. The training would be very useful.

40099. Then you say in answer to questions (24) and (26) that you admit the importance of readjusting the present grades in the executive branch of the Provincial Service so as to remove the excessive block of promotions ?—Yes.

40100. Now, it was put before this Commission as an alternative scheme that, in the event of the time-scale of pay not being accepted, the upper grades should be strengthened, and it was said that they should be strengthened to the extent which is now held by the judicial branch of the Civil Service, namely, 29 per cent. of the posts on Rs. 600 and above. Do you think that the judicial service, as it now stands, suffers from block of promotions, and, if so, will that arrangement of levelling up the executive branch of the Service to the present position of the judicial service relieve the block of promotions in the provincial executive Service ?—That I cannot say. I should not be guided by the example of the judicial branch of the Service. I should readjust the grades of the executive branch of the Provincial Service so as to make the flow of promotion reasonable and fair.

40101. But you admit that the judicial service, as it now stands, suffers from block of promotions ?—I believe it does.

40102. And, therefore, any levelling up of our Service with them will not relieve that block ?—I do not propose to level one Service with the other. I do not suggest that.

40103. If there was such a proposal, would you accept it ?—No, I do not think it is relevant.

40104. Then you have said in answer to question (38) of the Indian Civil Service that the class of posts now listed are suitable. I presume that this does not necessarily involve the suggestion that there are no other directions in which expansion could not be made. I would suggest to you whether the Registrarship of the Co-operative Societies should not be thrown open to the Provincial Civil Service, bearing in mind the fact that a similar experiment is being tried in Bengal, and with very good results ?—I am of opinion that the Registrarship of Co-operative Credit Societies might properly be thrown open to the executive branch of the Provincial Service.

(The witness withdrew.)

KRISHNA SAHAY, Esq., Vakil.

Written answers relating to the Indian Civil Service.

40105 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The system of open competition for recruitment of the Indian Civil Service is perfectly sound, but the examination as at present conducted in England only entails hardship on Indian candidates, and in that view of the matter it is unsatisfactory.

40106 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—The present system is faulty in so far that it hardly affords a fair opportunity to Indian candidates to compete successfully in the examination. I would therefore suggest the desirability of simultaneous examinations being held both in England and in India.

40107 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—No; the main alteration I recommend is the holding of simultaneous examinations with certain necessary changes in the subjects prescribed for the examination.

40108 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—The present system cannot be said to be to the disadvantage of Indians, because it may enable some Indian candidates to secure admission in the Home and Colonial Services.

40109 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose? No alternative is necessary to suggest for reasons stated above in reply to question (1).

40110 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am strongly in favour of simultaneous examinations being held both in England and in India, open in both cases to all natural-born subjects of His Majesty.

40111 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I am totally opposed to the suggestion embodied in the question.

40112 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—No, it will not be desirable to introduce the question of the representation of classes and communities in the highest governing body, in the recruitment of which efficiency should be the sole standard.

40113 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—Natives of India should continue to be eligible for appointment in any case.

40114 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India" as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—No, I would not favour any such system.

40115 (11). Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—My suggestion for the recruitment of the Judiciary will be found in reply to question (37).

40116 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Viet., c. 3) as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—No. I would suggest the exclusion of persons of unmixed European descent from the definition.

40117 (13). If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—The present age should be retained.

40118 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—Twenty-five years.

40119 (15). What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India and for other natural-born subjects of His Majesty?—The present age limit should be

retained, as it suits the Natives of India better, because the minimum age for appearing at the Matriculation in this country is now fixed at sixteen, and thus the Indians cannot graduate themselves before they are twenty or twenty-one. I recommend no differentiation in point of age amongst the candidates.

40120 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—I would suggest the raising of the marks in Sanskrit and Arabic to the same maximum as those fixed for Latin and Greek even if need be by raising the standard in Sanskrit and Arabic. I would further suggest the addition to the syllabus of Pali and Persian with the same marks as those assigned for the modern European languages.

40121 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—No differentiation is desirable.

40122 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons?—Posts of a purely executive nature may for the present be reserved for members of the Indian Civil Service; purely judicial posts (like those of District and Sessions Judges) and posts in the Secretariats of Governments and Boards of Revenue, should now be excluded from the Scheduled posts reserved for the Indian Civil Service. The reason is to enable the Government to recruit the judiciary from the Bar, and to enable Indians to enter the Government Secretariats and the Boards of Revenue and to obtain experience of the working of these departments.

40123 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—No, because in my opinion it will be obviously illegal as opposed to the plain words of the Statute of 1833 and contrary to the pledges contained in the Royal Proclamations.

40124 (20.) Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—No. To do full justice to Indian claims, simultaneous examinations are absolutely necessary.

40125 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?—No.

40126 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province, would you advise its reintroduction or introduction, as the case may be, and if the system should be introduced or reintroduced, to what extent in your opinion should it be adopted?—The system of appointing military officers was in force for many years in the Chota Nagpore Division, but it caused great dissatisfaction and has now been entirely given up, and should not therefore be revived.

40127 (23). Do you consider that such a system should be restricted to the recruitment of Military officers, or extended to the recruitment of selected officers from other Indian Services?—The system suggested in the question should not at all be extended to other departments.

40128 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—The system is desirable, but the number of listed posts should be increased from time to time to meet the legitimate claims of the Provincial Civil Service.

40129 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one quarter of the listed posts?—No.

40130 (26). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—No.

40131 (27). Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—No, I am not satisfied with the class of posts thrown open to the Provincial Civil Service. I would like that Secretaryships to the Governments and the Boards of Revenue should be thrown open to them, because selected members from the Provincial Civil Service such as would be appointed to these posts are not likely to be inferior to the Civilians.

40132 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—Yes.

40133 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—Two years. The syllabus must comprise Indian History and Laws and the principal vernaculars of the province to which the candidate has been assigned. I would suggest that candidates succeeding in the open competition in England should spend their probationary period in India, and those in India in England.

40134 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No differentiation is necessary except perhaps in very minor details.

40135 (33). Do you think it desirable to start, at some suitable place in India, a College

for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—No.

40136 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—No. Not at any central institution.

40137 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should in your opinion be introduced?—No. At present practically there is no suitable training imparted to junior Civilians. In my opinion those who come to India should be trained under selected officers who should be directed to pay special attention to their training, and their knowledge and experience should be tested from time to time by departmental examinations and otherwise.

40138 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—No; because few in this province, of which only I can speak with some knowledge, possess a sound knowledge of the vernaculars. They do not possess adequate proficiency in the languages of the province. They should be made to master the languages thoroughly, both by study of books and also by intercourse with the people; and their proficiency in this respect should be tested from time to time.

40139 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the judicial branch?—My view is that the members of the Indian Civil Service should be required to pay special attention to the Indian laws and customs during the period of their probation. As for judicial officers, my suggestion is to recruit them (i) direct from the Bar, and (ii) by promotion of the officers of the judicial branch of the Provincial Civil Service.

40140 (38). Do you recommend any special course of study in law in India for officers selected for the judicial branch?—It will not be necessary to do so if the judiciary is recruited as suggested above.

40141 (39). Do you recommend any special training in subordinate judicial posts in India for officers selected for the judicial branch? If so, please give details?—No; as the members of that body are generally barristers or vakils of three years' standing.

40142 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No.

40143 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent?—No.

40144 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—It should be abolished, and if it is to be maintained it should be given to all Civilians irrespective of their nationality.

40145 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Service holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of service?—Yes, I approve of it.

Written answers relating to the Provincial Civil Service.

40146 (51). Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—Yes, they are suitable.

40147 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your province suitable, or have you any recommendations to make for their alteration?—No. All appointments in the Provincial Civil Service should be filled up by open competitive examinations, except some with a view to equalise appointments of classes and communities from amongst those who have competed and obtained highest marks. Such recruitments to be limited in number in proportion to the requirements. No proportion should be fixed, but nomination to be made to meet the exigencies of the particular year to secure the representation of classes and communities.

40148 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—Yes, most decidedly.

40149 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—No. At present the Bihari Hindus are very inadequately represented. It is desirable. I would recommend arrangements suggested in my answer to question (52) to secure this object.

40150 (55). Are you satisfied with the existing arrangements for the training and proba-

tion of officers appointed to the Provincial Civil Service?—I am satisfied.

40151 (57). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?—The functions of the officers of the executive and judicial branches of the Provincial Civil Service are broadly differentiated in so far that Munsifs and Subordinate Judges try civil suits, and Deputy Magistrates and Sub-Deputy Magistrates try criminal cases and do miscellaneous revenue and criminal work. The change that seems to me to be desirable in the Provincial as well as in the Indian Civil Service is, that there should be a complete separation of the Judicial and Executive functions. The present system, which combines the two functions in one and the same officer, is responsible for the most glaring instances of miscarriage of justice which occur in the country. The dispensation of impartial justice as between man and man is the birthright of man, and is the noblest achievement of British rule and entitles it to the profound gratitude of the Indian people, and anything which interferes with the proper administration of justice is an evil which should be promptly remedied. The necessity for this reform is admitted, but objection is sometimes taken to it on the ground of expense. It has been shown by competent authorities, such as Mr. R. C. Dutt and others, that the expense, if any, will not be appreciable. I may go a step further, and add that no expense should be regarded as too heavy which will improve efficiency in the administration of justice.

40152 (58). Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?—The Services ought to be named after the province in which the officers serve.

40153 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes.

40154 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—No. I would suggest an additional grade of Rs. 1,000 for Deputy Magistrates and the raising of the initial pay of both the Deputy Magistrates and the Munsifs to Rs. 300 per month; and a grade of Rs. 500 should be created for Munsifs trying cases up to Rs. 2,000.

40155 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—Yes.

40156 (62). Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—No, but leave rules for the Europeans and Indians should be the same.

40157 (64). Are you satisfied with the existing organisation of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—No other alternative organisation is necessary. The organisation as it exists, with the modification suggested above, will suit the present requirements.

MR. KRISHNA SAHAY called and examined.

40158. (*Chairman.*) You are a Vakil and a Member of the Bihar and Orissa Legislative Council?—Yes.

40159. Do you occupy any other public positions?—I am the Honorary Secretary of the Bihar Landholders' Association.

40160. You are in favour of the system of simultaneous examinations in England and in India for the recruitment of the Indian Civil Service?—Yes.

40161. You do not consider that any minimum of Europeans is necessary?—It is not necessary to lay it down.

40162. Do you attach importance to the maintenance of the European element in the Service?—I do attach importance to it; but I think that the simultaneous examination is not likely to result in a large influx of Indians.

40163. Would you not be prepared to see Europeans excluded by such a process?—No.

40164. Do you think that if the simultaneous examinations were instituted a larger number of Indians would be successful at the examination?—Large numbers will by degrees get in, but not a very large number for years to come, because of the want of educational facilities in this country to train up boys for the Indian Civil Service.

40165. Suppose the European element were too much reduced, what course would you take for maintaining it?—I do not see that they would be unduly reduced for many years to come. In view of the fact that we have not got any of the educational facilities to train up students for the Indian Civil Service examination, in spite of the simultaneous examinations, for years to come a large number of students could not get in, although their number will increase largely.

40166. In answer to question (18), you suggest recruitment in certain cases for the judiciary from the Bar? Would you suggest that the Government should nominate from the Bar generally?—Yes.

40167. Is there any particular reason why nomination should work well in this case with

regard to lawyers any more than it should in regard to the entry into the Service?—Yes. Because they have substantial grounds to go upon. They may take the standing of the lawyer into account, for how many years he has been practising and what his general abilities are as a lawyer. These considerations will enable them to make a proper selection.

40168. Do you think that would be a strong enough ground?—Yes.

40169. It has been suggested to us that a selection should be made from Government Pleaders and Public Prosecutors. What would be your idea about that?—I would not confine the selection to Government Pleaders and Public Prosecutors only, but would keep the field open.

40170. You desire, in regard to the Provincial Civil Service, that it should be filled by open competitive examination; but you would allow a few nominations to be made from among qualified candidates, thereby ensuring the representation of certain communities?—Yes. Those who have not been able to get in by competition.

40171. Would you bar the scheme of promotion from the subordinate service to the Provincial Service?—Not necessarily.

40172. I ask because you do not mention it. You suggest two forms of recruitment, one by competitive examination and secondly by the nomination of a few qualified candidates?—I would not exclude the subordinate service.

40173. Have you any views about Sub-Deputy Collectors in the subordinate service being taken up into the Provincial Service, on which we have had a good deal of evidence in this province?—I think the separate class of Sub-Deputy Collectors ought not to be maintained: they are chosen from the same class as Deputy Collectors.

40174. Would you include them among Deputy Collectors?—Yes.

40175. Would you include the whole of them or would you take merely those who are already doing similar work to what is being done by Deputy Collectors?—I would absorb them all gradually.

40176. In answer to question (62) you suggest that the leave rules for Europeans and Indians should be the same. Do you not think that a European officer, who is living at a great distance from his home, should be regarded as being under somewhat different conditions from those under which others are living in this country?—Yes, under certain conditions; but the leave rules are very liberal.

40177. What you suggest is that the Indian conditions of leave should be precisely the same as the European conditions of leave?—Yes. That is what I think should be the rule.

40178. Are not these conditions very different ones?—Not much different, now that the voyage to Europe is so very easy.

40179. You do not think that the difference of distance as between England and India constitutes sufficient ground for making any differentiation?—I do not think that is a sufficient ground.

40180. In urging a complete separation of the judicial and executive functions you state, that "the present system which combines the two functions in one and the same officer is responsible for the most glaring instances of miscarriage of justice which occur in this country." Can you give us individual instances to justify this strong language?—I shall.

40181. I do not propose to ask you about it in public as it is better in the public interest that evidence regarding personal and individual instances should be taken in private. At the same time when a statement like this is made, the Commission would desire to have a substantiation for it?—I am prepared to give it.

40182. (*Sir Theodore Morison.*) I understand you to be of opinion that the Provincial Service should be reserved to the residents of the province?—Yes.

40183. What are your reasons?—Because the educational standard in each province is not the same. There are some provinces which are much more advanced than others. For instance, take Bengal and Bihar. If the people of these two provinces are taken as one, the Biharis will be nowhere.

40184. You think it very important?—I think it very important.

40185. That they should have a fair chance of being represented in the administration of their own country?—Yes, I attach great importance to it.

40186. If you had the simultaneous examinations for the Indian Civil Service will the Biharis be nowhere also?—I have said that there efficiency should be the sole test, in the supreme governing class of the country. There that matter does not enter into consideration at all.

40187. Am I to gather that a Bihari is not an efficient public servant?—That is not what I mean. If the Biharis qualify themselves for the Indian Civil Service they will be there.

40188. You do not require efficiency in the Provincial Service?—I do wish to secure efficiency, and I secure it by competition.

40189. Do I understand you to say that you would get more efficient public servants if you throw the service in Bihar open to Bengalis?—I am not prepared to say that.

40190. Then why are you prepared to say that for the Indian Civil Service?—That is the highest governing body in the land.

40191. You mean that it must be more efficient and efficiency can be better tested in that case. Is it not important in the Provincial Service?—It is important, but there are other considerations.

40192. Which other considerations?—The communities should be represented.

40193. Where?—In the Provincial Service.

40194. In the Provincial Service, you say that you can secure efficiency by confining the recruitment to the residents of the province and by

excluding the more highly educated in the other provinces from it. You said that in Bengal education was more highly developed, and you only wished to exclude them from competition. You wish to exclude the more highly educated section ?—Yes, in the matter of passing examinations.

40195. And you think that the administration can be efficiently conducted by the residents of the province ?—The required efficiency can be secured.

40196. You think that it will give more satisfaction to the residents of this province, if it were officered by Biharis than outsiders ?—It would.

40197. May I apply the same argument to the Indian Civil Service examination. Could you not secure sufficiently efficient Biharis to be in the Indian Civil Service ?—By what ?

40198. There are certain methods by which you could—by limiting the competition within certain areas ?—No. I would not restrict the areas. Depart from it here ; and I do not insist on that condition.

40199. I see you do not. I want to know why it is that you do not require efficiency in the Provincial Service ?—That does not follow that you do nct require efficiency for the Provincial Service.

40200. You do not secure it by the same means ?—No.

40201. I see from your answer to question (16) that you want to introduce Pali as a subject for the open competitive examination. Is that a modern language ?—Pali is supposed to be an advanced language just like Persian.

40202. I see that it is only in Bihar you want Pali, and that Pali and Persian are bracketed together, but I do not see much similarity ?—Pali is an advanced language, and I do not think there is similarity to Urdu. I do not think that Urdu is sufficiently advanced like Persian.

40203. Persian stands on the same footing ?—Pali is one of the vernaculars and is so far advanced as to be put on the same footing as the Persian.

40204. Is it a living language anywhere ?—It occupies just the same position as Persian occupies.

40205. Persian is a living language ; it is a modern language ?—It is not so, so far as India is concerned.

[Adjourned for a short time.]

40206. (*Mr. Madge.*) Can you give us details, if called for, about the glaring instances that you speak of. You mention one, but are there several of that kind ?—Yes ; I have mentioned one, but there are others also.

40207. Several ?—Yes.

40208. Of which you could substantiate the details ?—Yes.

40209. (*Mr. Datta.*) Your practice has extended over a long period at Bankipore ?—Yes, for about twenty years.

40210. You have seen the decisions of Munsifs and Sub-Judges and Deputy Magistrates ?—Yes, I have in the course of my practice.

40211. What do you think about the findings of facts of Indian Munsifs, Sub-Judges, and Deputy Collectors : do they compare favourably with the decisions given by European members of the Service who are Covenanted or in the Provincial Civil Service ?—Generally speaking my opinion is that on points of fact the Indian Judges come to right decisions, and I should think they are not inferior to European members on points of Law.

40212. Do I understand that they come to a better decision than Europeans ?—I think so.

The following portion of MR. KRISHNA SAHAY'S evidence was taken *in camera.*

40213. (*Chairman.*) We will just ask you now in private to give us instances to support the statements you have made in regard to the cases of injustice that you say you know of which have arisen owing to the Civilian Judge ?—The most recent instance I know of is that of Rajendra Narayan Singh at Bhagalpur. That was decided by Mr. Justice Mukherji. It was a case in which proceedings under Section 110, according to the finding of His Lordship, were kept in abeyance against a Zemindar for the appointment of a European manager. That is a reported case to be found in the last volume of the "Calcutta Weekly Notes."

40214. (*Sir Murray Hammick.*) Was it a case of appeal to the High Court of Calcutta ?—Yes. Two Judges differed and the matter was referred to a third Judge, Mr. Justice Mukherji, and was disposed of.

40215. Does Mr. Mukherji in his judgment reflect on the conduct of the Civilian Judge ?—Yes.

40216. Is it a Judge or a Magistrate case ?—A Magistrate case.

40217. And he reflects on the conduct of the Magistrate ?—Yes.

40218. Therefore we had better get the record ?—Yes, I think the whole judgment ought to be read. This case illustrates the matter very well.

40219. You say it is a published case in Calcutta ?—Yes, it is in the "Calcutta Weekly Notes."

40220. Does it appear in the Indian Law Reports ?—It will take some time before it appears in the Indian Law Report series, but it is to be found in the "Weekly Notes."

40221. (*Mr. Madge.*) Are you aware that there was a history in this case with reference to the appointment of that manager that does not appear in the evidence ?—I do not know.

40222. There is a regular history about transactions between the Executive Officer and the manager in that particular case which does not

appear in the evidence. Whose fault it was I do not know?—I think the whole matter appears in the evidence, if you take into consideration the explanation which was given by the Magistrate to the High Court and also the affidavit which was made by Rajendra Narayan Singh in his original motion.

40223. (*Chairman.*) Can you give us any other instances?—The other instance is the well-known Pennell Case, ordinarily known as the Chapra Case. The whole record of that is available. The case went before the High Court and has been published.

40224. (*Mr. Abdur Rahim.*) Do you know what year that was?—It is a long time ago now, but I can find out the reference. Mr. Haq will be able to give you much more detail about this case as he was acting in it, conducting it on behalf of the accused.

40225. (*Sir Theodore Morison.*) That is an old case. Do you remember any more recent ones?—I can refer only to those cases which have actually gone before the High Court and which have seen the light of day. There might be cases which did not go up to the High Court but in which all the same this evil was illustrated.

40226. *Chairman.*) Are those two instances the grounds for that statement you make: "The present system which combines the two functions in one and the same officer is responsible for the most glaring instances of miscarriage of justice which occur in the country"?—And also the twenty cases collected by the late Mr. Ghose in his pamphlet.

40227. (*Mr. Fisher.*) Did he collect them from over the whole of India?—No. He gathered those cases in the course of his extensive practice in the mufassal, in Bengal, and he said in that pamphlet that those are some of the cases he came across. I may inform your Lordship that there is a particular reason why I placed the matter before the Commission. As Honorary Secretary of the Bihar Landholders' Association I received the question and subsequently called a meeting of the Executive Committee of the Bihar Landholders' Association, and there this matter was discussed, and as the members are very much interested in that case of Rajendra Narayan Singh special steps are being taken by the Association to place the case before the Government and before this Commission as illustrating the evil which affects the interest of landlords. The case has created a good deal of sensation. It was the case of a Zemindar in the district of Bhagalpur, and as Honorary Secretary of the Bihar Landholders' Association I was asked by more than one member to take particular steps to bring the case to the notice of the Government, and also, if occasion should arise, to place it before the Royal Commission.

40228. (*Sir Murray Hammick.*) This is a case which you say Mr. Justice Mukherji notes upon in his judgment?—Yes, that is the case.

40229. (*Mr. Abdur Rahim.*) Is the feeling very strong here regarding this question?—Very strong in Bihar. There is a sort of feeling of insecurity. I do not know that it is justified by a single instance, but there it is.

40230. And you feel it very strongly in the profession also, that this combination is productive of evil?—Yes.

40231. Do the Zamindars look upon this combination as an evil?—I think the Zamindars particularly, because of this case. They think that if under Section 110 proceedings can be kept in abeyance for a period of ten years against a Zamindar to make him do a certain act, very great difficulties may be created for them.

40232. What is the point of dissatisfaction generally with regard to this combination of the two functions?—The feeling is that justice cannot be administered properly if the functions are combined in one and the same individual, that there cannot be a proper dispensation of justice between man and man so long as this combination of the two functions continues in the same person, who himself becomes the Prosecutor and afterwards sits in judgment over his own action.

40233. But he does not himself try the cases that he initiates?—The feeling is that those who try do not act independently in the majority of cases.

40234. You mean the Subordinate Magistrates?—Yes.

(The witness withdrew.)

PANDIT RAMA BALLABH MISRA, M.A., District Officer, Puri.

Written answers relating to the Indian Civil Service.

40235 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—On the whole, I think the present system of recruitment by open competition is suitable in principle. I should have preferred to introduce an element of selection, on the ground of character, antecedents and social status, before actual competition, but the practical difficulties of working any such combined system are so great as to render it, in my opinion, almost hopeless.

40236 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—The system is, however, most faulty in one important detail, *viz.*, the centre where the examination is held. The inevitable outcome of the present arrangement is to practically shut out the "Natives of India" from the Service.

40237 (4). Further, is any differentiation desirable between other classes of natural-

born subjects of His Majesty? If so, what do you propose?—On first thought, one would like to exclude the natives of Colonies where an Indian is not getting fair treatment, but in the wider and larger interest of creating a solidarity of feeling for the Empire as a whole and of holding up the ideal of Imperial citizenship to one and all, no such differentiation should be made.

40238 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—The conditions and requirements of the service in India being quite different from those at Home and in the Colonies, the present combination of the competitive examination for all the three services seems to be illogical. Although it affords a wider field of choice, the restriction of the examination to the Indian Civil Service would confine the selection to better materials for India—I mean, to candidates, imbued with aspirations only for an Indian career, better grounded in subjects more directly affecting India than the other countries, and therefore better equipped for service in India.

40239 (7). What is your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—This is really a very difficult question to answer. It is possible to import so many irrelevant, unpleasant and harassing matters into its discussion as to completely screen from view the real, the crucial point at issue, namely, the wider association of the Natives of India in the higher administration of the country. Diffusion of English education in the country, the consequent waking up of the political conscience of India after a slumber of ages, startling political developments in Asiatic countries at her very doors, the inauguration of a very sympathetic and very liberal era in the administration of the country since the introduction of Lord Morley's Reform scheme, above all His Majesty the King-Emperor's most affectionate speeches delivered in India, have completely transformed Indian aspirations, which are now flowing in channels hitherto undreamt of. With the great vista of possibilities so opened up, the Indian intellect and the Indian talent are feeling as if they have been emancipated from the bondage of centuries and are earnestly yearning for fuller expression. This, in my humble opinion, is the key-note to the whole situation. The endeavour of wise statesmanship should lie in the direction of skilfully guiding and moulding this aspiration so as to enlist it on the side of the Empire. Arguments based on the requirements of efficiency should be tempered with the watch-word of "sympathy" and "hope" whispered into India's ears by His Gracious Majesty the Sovereign himself, and the problem should be viewed from that lofty stand-point which His Excellency the Viceroy adopted in giving her the watch-word of "faith." There ought not to arise any question of the comparative efficiency of the Indian and the European. Efficiency is a relative term and can have no finality. We do not want the most brilliant men the world can produce for administering an average District in India, which is usually peaceful and calm and follows a settled line of administration. Once the principle is conceded that Indian aspirations should meet with a sympathetic response, what one should look for and secure is that requisite standard of efficiency which can run an average Indian District and an average Indian Division. Nor should too much apprehension be entertained as to the lowering of the British tone of the administration in consequence of the increase of the Indian element in it. The men selected will undoubtedly be those who have been imbibing English ideas, and studying English ideals from their very infancy, and in many a case drinking deep in English lore at the feet of English professors. The recruits must be the flower of the finished products of English education given in this country and as such they are always expected to maintain the British tone. On the other hand, any possible loss to the administration, because of the alleged weakening of the British tone, will be more than compensated by the increased touch the administration will have with the governed, the increased insight it will possess into the working of Indian society and of the Indian mind, and by the increased sense of confidence and oneness in the Empire which such a measure is bound to evoke in the easily susceptible hearts of the loyal Indian people. With the three factors kept before the mind's eye (*i*) that it will not be wise to ignore earnest Indian aspirations, (*ii*) that it is not a European but an Indian District that is to be governed, (*iii*) that the pick of the English-educated youths in India can very well come up to the normal standard of efficiency required in administering an Indian District, the situation can be seen in a much clearer perspective. There can be no question as to the predominance of the British element, not only on political grounds but also in the larger interests of the country herself, but it cannot be denied that with the introduction of the wider Indian element in the legislation of the country and as the necessary corollary of the moral and political forces operating all over the country as mentioned above, the time has arrived for the larger introduction of the Indian element in the execution and the administration of those laws. I would not advocate any sudden change on a large scale. I plead only for a cautious advance. Simultaneous examinations should, in my opinion, be the goal to be worked up to and not the very next step to be taken. That India should take equal rank with the other component parts of the glorious British Empire is the dream of many an Indian political leader. But it is also very well realised that it is a dream and that it cannot—it ought not to—come to-morrow. Meanwhile the recent reconstitution of the Councils on a more popular basis is regarded on all hands as a very substantial measure of advance towards draw-

ing the people closer to Government. Similarly simultaneous examinations should be the goal—I would not use the word "dream" here—but a distant goal with a large distance in between to be covered. In the meantime what is needed is a decided step forward. The standard of education is far from uniform in all the Provinces of India, and unless and until some degree of uniformity is reached simultaneous examinations will lead to one or two Provinces swamping the rest. To give almost every unit of the country a chance, I would, as a measure suited to the present transitory period of India, suggest the adoption of a separate examination as stiff as that at Home, not for each Province but for groups of similarly circumstanced Provinces, each group having a chance by some method of rotation. To guard against the deterioration of the requisite standard of efficiency, I would prescribe a minimum of marks which must be obtained before a successful candidate can be declared eligible. I would not close the examination in England to Indians nor would I take away the listed appointments from officers of tried merit and ability in the Provincial Service, but with all these methods combined I should like the maximum of Indians in the Imperial service fixed at not more than 30 per cent.—perhaps only 25 for the present. Such an examination will give a great impetus to English education in the country, accelerate the levelling up of all Provinces to one standard, and afford an adequate opening to indigenous talent all over India, bring the administration closer to the governed, add much to the Indian sentiment of loyalty and patriotism, and finally, by adequately associating the Indians and the Europeans in the higher sphere of administration, will promote the development of the Indian Empire after the British model but in harmony with Indian sentiments and Indian ideals.

40240 (13). Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system that you would propose?—I would keep the present system of recruitment, subject to the conditions that the Civilian Judges should have a better legal training before they enter upon their duties. As to the recruitment from the Bar, there is one great danger. Lawyers who have distinguished themselves at the Bar would never care to accept a District Judgeship, and consequently the Service would be the receptacle of all briefless and disappointed members of the Bar who would prove inefficient public servants. Besides, the members of the Bar, though sometimes very successful as Judges, not infrequently lack in administrative power and in proper appreciation of the difficulties of the Executive. The first few years' training of an Indian Civil Servant in the Executive branch is absolutely necessary before he begins his judicial career.

40241 (14). Are you satisfied with the present definition of the term "Natives of India" in Section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—The present definition it is difficult to improve upon.

40242 (15). If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—I am in favour of men who have finished their courses in a University and have preferably taken honours, instead of candidates of the normal school-leaving age. The maximum age may, however, be reduced to 23 years so as to have one year's probation in England and one year in India. The probation in India may be particularly confined to the study of Oriental languages and in England to the study of law and attendance in Law courts to be evidenced by the reporting of cases.

40243 (17). What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—I have heard it said that the recent recruits to the Indian Civil Service compare unfavourably with the older sympathetic class of Haileybury officers. The Service is perhaps losing its attraction for English youths. The reasons are:—Increased cost of living in this country, economic causes, too many social calls on their purse, and spread of advanced ideas rendering the task of administration onerous.

40244 (18). What is the most suitable age at which junior Civilians should arrive in India?—The most suitable age at which junior Civilians should arrive in India is 24, but they should not begin service before 25.

40245 (19). What age limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age limits for "Natives of India," and for other natural-born subjects of His Majesty?—*No differentiation in the age limits for the open competitive examination in England is necessary as between Natives of India and others. The age limit should be 22 to 24 as in the case of English candidates.*

40246 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons?—No differentiation in the subjects for the examination is desirable

between candidates who are Natives of India and other candidates.

40247 (37). Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(*a*) to the members of the Provincial Civil Service; and (*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?—I venture to suggest that these inferior listed posts should be thrown open to the Provincial Service, but not merged into it, so that officers of merit and ability may be appointed to them as a preliminary step towards promotion to superior listed posts. This arrangement will also give an opportunity of weeding out those who ought not to rise higher.

40248 (38). Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—The class of posts listed seems to be suitable. Further advance may be made in adding the following posts to that list, *viz.*, (*i*) Commissioner of a Division (at least one post), (*ii*) Secretary to Government (one post), (*iii*) Commissioner of Excise and Inspector-General of Registration, (*iv*) Director of Agriculture, (*v*) Registrar of Co-operative Credit Societies, (*vi*) Settlement Officers.

40249 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—In a system of competitive examination there cannot be any test of character, nor does character lend itself to any quantitative test. It can only be judged by prolonged and careful personal study, and the period of probation after competition can, in my opinion, be most suitably utilised for such a purpose. There should be no hesitancy, no sense of delicacy in weeding out a recruit who is found wanting in moral backbone and other moral qualities which are absolutely needed in an administrator. I have no experience of the way in which the recruits for the Indian Civil Service spend their probationary periods. Therefore all that I can say is that the course of probation should be so prescribed as to realise the object I have mentioned at the outset.

40250 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—In my opinion the probationer's course of instruction can best be spent in India.

40251 (57). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of or supplementary to the system of recruitment in England, please state what system of probation you recommend for such officers?—I would recommend the same system of probation for these officers as for those recruited in England. I would afford the Indian recruits facilities for spending a year in England, but would not insist on leaving it to the choice of the recruit himself. Any hard and fast rule in this respect may be resented by the vast orthodox Hindu community as an interference with their religion and is likely to create discontent among them.

40252 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I cannot say whether there is any deterioration in the knowledge of Indian languages by the members of the Indian Civil Service, but I must say that the knowledge which they possess is generally speaking of the most superficial kind and must act as a great handicap to their ordinary work. It is not sufficient that they should be able to converse in Hindustani or in broken Ooriya or Bengali with their Indian servants. They must have a good grounding in the colloquial spoken in the villages and should also have intimate acquaintance with the literature of those languages, so that they can be conversant with Indian ideals and sentiments and can understand the currents and the under-currents of the Indian mind. I should think that Hindi is the most neglected vernacular language in this respect.

Written answers relating to the Provincial Civil Service.

(NOTE.—The answers relate to the Executive Branch only.)

40253 (1). Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—I see nothing objectionable in the principle that the Local Government should have the power to make rules for the recruitment of the Provincial Civil Service without the previous sanction of the Government of India but subject to their general control. The general conditions laid down in the resolution referred to in the question appear to me to be suitable.

40254 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—At present the service is recruited entirely by nomination. The candidates appear before a Conference of Collectors presided over by the Commissioner of the Division, and the Commissioner in consultation with the Collectors makes a final nomination, usually suggesting two names in the order of preference for each

vacancy allotted to the Division, and in the ordinary course the vacancy goes to the first man in the list. This system does not afford sufficient opportunity for selecting the best candidate. The Conference has to go mainly by appearances. So far as I have been able to judge, the officers who entered the Service by competition are on the whole of superior calibre to those appointed under the present system. I would advocate recruitment by open competition, a certain percentage of the vacancies being reserved for nominated candidates in order to equalise the representation of all important communities in the Service. I would insist on the further condition that no recruit should be confirmed who during his period of probation has been found lacking in force of character and moral backbone. Direct appointments to the higher grade should as a rule be avoided.

40255 (7). To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?—Yes, only residents of the Province should ordinarily be recruited.

40256 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—Please see my answer to question (6). The training of probationers in the Provincial Civil Service depends entirely on the Collector under whom they are placed. They are given the choice of their stations and it follows that in all cases they do not go to the best Collectors. Perhaps it would be an improvement for the Government to choose the station for a probationer's training, having due regard to the facilities that the work of a particular district will afford for the proper training of a recruit and also to the experience, tact and temperament of the District Officer concerned.

40257 (13). In particular, is the leave reserve adequate, and the system on which it is graded suitable?—The leave reserve does not seem to be adequate. Some discontent is felt owing to refusal of leave on urgent occasions due to want of substitutes.

40258 (15). What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion?—The grading of the Service seems to be very defective. There is so much congestion in the sixth, fifth and fourth grades that an officer cannot always get over them even after putting in 25 years' service. In illustration of my observations, I beg to subjoin a statement embodying the total number of posts allotted to each grade and the names of the first two officers in each grade and the time that they have already spent in that grade.

Grade.	Number of appointments in the Grade.	Names of the first two officers in the Grade.	Date of first appointment as Deputy Collector.	Total length of service as Deputy Collector (to 8th February 1913).	Date of appointment to present grade.	Length of service in the present grade (to 8th February 1913).	Remarks.
				Y. M. D.			
1st. Rs. 800 . .	5	Walter Henry Thomson, B.A., I.S.O., J.P.	15th May 1880.	32 8 23	9th October 1910.	2 3 0	On extension of service from 21st August 1911.
		Rai Mukund Deb Mukherjee, Bahadur, M.A.	28th October 1880.	32 3 11	14th March 1911.	1 10 24	
2nd. Rs. 700 . .	7	Sharat Chandra Chatterji, B.L.	19th June 1884.	28 7 20	15th August 1909.	3 5 23	On extension of service from 11th May 1912.
		Nagendra Nath Gupta, B.A. .	17th October 1831.	31 3 22	9th November 1910.	2 3 0	
3rd. Rs. 600 . .	12	H. H. Heard, J.P. . .	1st August 1884.	28 6 8	23rd October 1907.	5 3 16	
		Allan McGavin, J.P. . . .	7th April 1885.	27 10 0	6th March 1908.	4 11 12	
4th. Rs. 500 . .	37	Abdul Samad, M.A. . .	24th January 1887.	26 0 15	13th June 1903.	9 7 25	
		Surendra Nath Mozumdar, B.A.	26th November 1888.	24 2 13	9th March 1904.	8 11 1	
5th. Rs. 400 . .	54	Nagendra Nath Mitra, B.A. .	31st January 1893.	20 0 8	5th February 1904.	9 0 3	
		Sayad Abdul Malik, B.A. .	21st February 1893.	19 11 17	19th March 1904.	8 11 1	
6th. Rs. 300 . .	56	Sahibzada Wali Muhamad Saha	8th July 1902.	10 7 0	1st May 1907.	5 9 7	
		Charu Chandra Mukherjee, B.A.	20th January 1903.	10 0 19	1st May 1907.	5 9 7	
7th. Rs. 250 . .	66	A. F. L. Sharling . . .	14th August 1906.	6 5 24	28th June 1911.	1 7 11	
		D. G. K. McGavin . .	28th August 1905.	7 5 11	15th May 1909.	3 8 23	

40259 (17). Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—The principle hitherto followed in making promotions beyond the fourth grade is selection by merit and not by mere seniority. Perhaps ordinary good work should suffice for ordinary grade promotions, special merit being rewarded by special posts.

40260 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—I have already made some observations with regard to the listed posts in reply to question (39) regarding the Indian Civil Service. The principle underlying the arrangement is very sound and should be further expanded. The District Officer to be selected from the Provincial Service should be caught young, say from the sixth and fifth grades, who should first be tried in the inferior posts as Assistant and Joint Magistrates and also as Under Secretary, and if found competent should be given the further step of the charge of a district. I have already stated elsewhere the class of posts that may be thrown open to the Service, and if any suggestion of a separate examination for groups of provinces for partial recruitment of the Indian Civil Service is not accepted, the alternative left will be to draw the Indian element for the Indian Civil Service mainly from the Provincial Service through the door of listed appointments. The vacancies should not be left open on the plea of want of suitable officers, but they should always be given to the best men available, in any case on probation, so as to give them a chance of proving their fitness and eligibility. The fact should not be overlooked that increase in responsibility and emoluments often draws out the latent capacity of a man, and I feel no doubt that with careful discrimination capable men can be selected from the service who will do full justice to the requirements of higher posts.

40261 (21). Are you satisfied with the present designation "the Provincial Civil Service?"—I am.

40262 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—I would add a grade of Rs. 1,000 with 5 per cent. of appointments, and revise the numbers in all the grades in such a manner as to remove the congestion in the sixth, fifth and the fourth grades and to ensure promotion to the Rs. 800 grade on the completion of 25 years' service. It would simplify matters to have some sort of a time-scale, but the greatest drawback to such a proposal is that it will stand in the way of weeding out the inefficient and might set a premium on easy-going laziness.

40263 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—The present system under which officiating promotions are not made in the Provincial Service is a source of great disappointment to the members. The ordinary emoluments of the Service are not adequate to meet the present-day requirements of the position the members have to maintain. The cost and the standard of living are going up by leaps and bounds and an officer up to the fifth grade generally lives from hand to mouth. Officiating promotions may go some way to relieve this pressure. I would also recommend special allowances for the posts of Sub-Divisional Officers and Personal Assistants to Commissioners because of the increased expenses they involve in consequence of the higher style of living expected of such officers.

40264 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—The two-thirds rate presses heavily on the occupants of the listed posts, and the position that they have to maintain, plus the calls made on their purse which they must meet in consequence of the peculiar social system obtaining in India, leave them nothing to lay by for the evening of their life. All things considered, the rates should not be below three-fourths if the distinction between the two classes of officers remains.

40265 (31). Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—I believe officers of the Provincial Civil Service generally take more leave than they did before. And this is, I think, largely due to improved communications and facilities for combination of different kinds of leave.

40266 (32). Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—(*i*) All the leave due on full pay is ordinarily taken by most of the officers. It is only those stationed at healthy places and holding special appointments which carry increased emoluments in the shape of local allowances, who do not like to take any kind of leave for fear of transfer and loss of their local allowances. (*ii*) I have nothing to say against the amount of privilege leave "earned"

under the present rules. (*iii*) No answer necessary.

40267 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—(*i*) Furlough "due" is seldom taken by the officers of the Provincial Civil Service as pure and simple holidays on account of the reduced allowances that it entails. It is mostly on grounds of health that furlough is usually sought and there should be adequate provision for this purpose. (*ii*) In my opinion it is necessary to allow for more furlough than is admissible under the present rules. I should think that the amount of furlough "earned" by an officer should be at the rate of one-tenth of his active service and the whole of it should count towards service for pension, and the present rule laying down a period of two years as the maximum amount of furlough admissible in an officer's whole service should be repealed.

40268 (34). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—I have nothing to say against the present rates of furlough allowances.

40269 (35). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?—I do.

40270 (36). Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other form of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—(*i*) A provision for the grant of special furlough for a period not exceeding six months in an officer's whole service when no furlough is due to him will be a most welcome concession to the Service and much appreciated. I have nothing else to suggest. (*ii*) Generally they are.

40271 (37). Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the Administration, and, if so, what, and what remedy do you suggest?—I do not think the present leave rules cause any appreciable inconvenience to the Administration. To a certain extent they are of course responsible for a break in the continuity of the Administration due to the transfer of old officers on the expiry of their leave. The difficulty might be met by having a few supernumerary officers in each Division to fill up leave vacancies.

40272 (38). In particular, are they a contributory cause of excessive transfers of officers and, if so, how can this difficulty be met?—To some extent; see answer to question (37).

40273 (39). Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respect? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—(*i*) There is a lot of undesirable restrictions and conditions imposed by the present rules on the grant of privilege leave and furlough, on their combination, and also on their combination with other kinds of leave which press somewhat hard on the officers. For instance, an officer cannot have a title to furlough until he has rendered service for ten years; the privilege leave earned by an officer will not be admissible to him unless there has been a lapse of an interval of six months since his last return to duty; the minimum limit of combined leave shall be a period of six months, and taking combined leave for a shorter period shall affect the allowances and the like. There is further an order of Government requiring the officers to give three months' previous notice of their intention to take leave which stands in many cases in the way of their getting leave in times of necessity. All these restrictions should be removed and the amount of privilege leave and furlough earned by an officer should be made available to him at the shortest possible notice subject to no condition other than the exigencies of the public service. (*ii*) I am not in a position to say as to whether the existing differences between the leave rules for the "European" and "Indian" services are suitable. But I must acknowledge that in the matter of leave European officers, who are not domiciled in this country, stand on a different footing from the Indian. They require special long leave for going home.

40274 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—In principle, I consider it quite satisfactory.

40275 (41). Have you any suggestions to make in favour of any modifications in its detailed working, and, if so, what, and for what reasons?—Retirement should as a rule be enforced after the attainment of 55 years of age, but exceptional cases may be treated differently on their merits.

40276 (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—I do. Some provision may be made for granting reduced pensions to officers who may become inefficient either owing to illness or any other cause.

40277 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—I think the pension should not be less than Rs. 600 a month.

40278 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—An officer may be given the option of retiring on full pension after 25 years. The element of compulsion should only come in on the attainment of 55 years of age.

40279 (45). To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially recognised funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—Any scheme whereby the wife and family of a deceased officer may be able to draw a small pension during the lifetime of the widow or until the eldest son comes of age will be welcomed as a great boon, but I am unable to work out the details and judge the financial effects of any such proposal. In any case subscription to the Provident Fund may be made compulsory for all married officers.

PANDIT RAMA BALLABH MISRA called and examined.

40280. (*Chairman.*) You are holder of a listed post as Collector of Puri?—I am.

40281. How long have you occupied that position?—I have been Collector of Puri for just over a year, but I have held listed appointments for about seven years.

40282. Where were you before?—I was first appointed as Junior Secretary to the Board of Revenue in Bengal and after that I was appointed Collector of Birbhum, and for a few weeks I had to revert as Sub-divisional Officer of Kendrapara. Then I was again appointed to Birbhum, and from there I was transferred to Puri as Collector.

40283. How old were you when you were promoted to the position of a listed post?—About thirty-five.

40284. You attained the position earlier than usual?—Yes.

40285. You put in the forefront of your proposals the necessity for recognising the political side of the question in the investigation with regard to the addition of Indians to the Service?—I have done so, because I think there is some discontent about it.

40286. What you ask for is the recognition of the claim of loyal Indians to serve their country in the higher posts?—Yes.

40287. You say they need only to be of a sufficient standard of efficiency to run an average Indian district?—I do not want the most brilliant men the world can produce for running an average Indian district.

40288. But you want a good, high average and an officer who has been imbued with British methods of administration?—Exactly.

40289. You approve of the principle of simultaneous examinations?—I do, as a very distant goal; not now.

40290. Looking at it from a practical point of view, you would be content to keep open the competition in England for Indians and to supplement that form of entry by an examination in India for a certain number of Indians?—Yes, taking provinces in groups.

40291. Would your examination for India be of the same standard, or approximating to the same standard, as the open competition in England?—Yes; I have said it should be as stiff as at home.

40292. Would the subjects correspond with those subjects in the Home examination or would you have subjects more suitable to Indian education?—Generally speaking I think the subjects should be the same, but there might be some differences.

40293. You would have certain optional subjects?—Yes.

40294. Would you suggest that this examination should be conducted by the Civil Service Commissioners?—I have not thought of it, but I would not object to that.

40295. What proportion would you propose to recruit by this examination?—I have said that the maximum in my opinion should be 30 per cent. of the Indian element, because I want to maintain the British element in the Indian Civil Service. Then I said that Provincial Servants of tried merit and ability should have some listed posts, and combined with all these methods I have said that the proportion should be 30 per cent., and I should be content with 25 per cent. for the present.

40296. I understand you would regard this examination as supplementary to the other forms of entry, to make up the deficiency in the number of Indians entering the Service in other ways?—That is one of the grounds why I have suggested it.

40297. You lay stress on providing these recruits with facilities for spending a probationary period in England?—Yes. I would not insist upon it, but I would give them facilities.

40298. Do you not think it is very important that such candidates should have an English University training, the same as the candidates who enter by the London door?—I should think the training they receive in India is quite sufficient to run an Indian district.

40299. But the candidates that you are dealing with in this proposal will be members of the Indian Civil Service, will they not?—Yes, and at the same time they will be the finished products of the Indian Universities.

40300. Do you think they will be of the same standard of efficiency, and be regarded as of that standard if they continue their probation out here and do not go to England?—Efficiency is a relative term, but I say that from the point of view of Indian administration they will be as efficient as any gentleman educated in Europe.

40301. I will put it in this way. Would you consider that that English tone which you regard as important could be realised to an effective extent unless these candidates passed a probationary period in England?—I think it will be effective to the extent which is required for running an Indian district.

40302. Do you think there is any considerable number of Indians so far advanced in their studies as to be likely to pass such an examination as you propose ?—There are some, but not very many. I believe a sufficient number would be forthcoming to obtain high positions in that examination.

40303. Do you think that those who pass successfully will be likely to neglect the advantage of going to England for a probation ?—There would be a certain proportion who would go to England, but all of them would not.

40304. In your answer to question (13) you say that the first few years' training of an Indian Civil Servant in the Executive Branch is necessary before he begins his Judicial career. What advantage does he obtain from that ?—He obtains an insight into the Executive Administration of the province, and he can very well appreciate the difficulties of the Executive.

40305. You appear to be rather apprehensive of getting suitable recruits for the Judiciary from the Bar. Do you think that there are members of the Bar who would be likely to avail themselves of the opportunity if it were presented—members of standing ?—What I am afraid of is that members of standing might refuse, because their emoluments as members of the Bar would be greater than the emoluments of the District Judge, and we shall have to fall back upon members of lesser standing at the Bar, who will not prove efficient.

40306. In answer to question (17) you say that the Indian Civil Service is perhaps losing its attraction to English youths ?—I have some apprehensions of that kind, because the administration is becoming more and more difficult, and living is more expensive, and the social calls on the purse of the Civil Servant, so far as I have been able to judge, are too many.

40307. Do you think that it is due to block in promotion and consequent inadequacy of pay ?—I have heard it said that there is a great block in substantive promotion in the Indian Civil Service.

40308. Would you be prepared to favour an increase of emoluments and better grading in order to advance that attraction ?—I would.

40309. You say you would like to see a time-scale, but that you are afraid the institution of one might set a premium on easy-going laziness ?—That is my opinion.

40310. Do you think that if what is called a compartment system, by which after Rs. 500 the officer would be promoted into the higher grades by selection, was adopted, that would remove that danger ?—I think I have said somewhere that up to Rs. 600 we should be guided mostly by seniority and approved service, and that beyond Rs. 600 I would not be averse to introducing the element of selection.

40311. So that you practically agree with the idea of a time-scale in compartments up to a point, and selection beyond it ?—Yes.

40312. In answer to question (25) you ask for special allowances for the posts of Sub-divisional Officer and Personal Assistant; what sort of allowances would you suggest ?—At least Rs. 100 per month, if not more, because these officers have to maintain a special style of living, and they also have to do some entertaining within their own circle, more than any other member of the Provincial Service.

40313. Do you think that officers are being overworked ?—I think every officer in the Administration is at present overworked, including Indian Civilians, Provincial officers, and Munsifs.

40314. Where would you say the heaviest work falls at present ?—I do not know. Perhaps I may be doing injustice to the Judicial Service if I say it falls more on the Executive Service, but their work is of a different nature. I think the members of the Judicial Service have to spend a good deal of time in recording depositions and writing judgments and they have to sit late hours. Members of the Executive Service have a different sort of work and they are overworked.

40315. Then you consider the cadre of both Services is inadequate ?—I think so.

40316. You would like to see an additional staff ?—I should like to see the staff increased, both Executive and Judicial.

40317. You do not refer to it in your written answers, but I should like to hear your opinion on the claim that is being made by witnesses that the Sub-Deputy Collector should be incorporated in the Provincial Civil Service ?—There are two ways of looking at it. First, generally speaking, we select the same class of men for the Provincial Service that we select for the Subordinate Service; the line of distinction is very narrow, and from that standpoint both Services could be amalgamated. But then the practical question will arise as to whether the minimum pay to be given to a man to begin with in the Amalgamated Service should be Rs. 150. If it is Rs. 150, many good men will not accept any posts in the amalgamated Service, and on that account the Service will deteriorate. Therefore the only solution is to abolish the Subordinate Service and amalgamate the whole Service into the Provincial Executive Service, and begin with Rs. 200 or Rs. 250.

40318. With one or two lower grades ?—The existing Sub-Deputy Collectors and Deputy Collectors to be combined into one Service, beginning with at least Rs. 200, if not Rs. 250.

40319. You would call them all Deputy Collectors ?—They will all be called Deputy Collectors and the class of Sub-Deputy Collectors will disappear altogether.

40320. Are many of the Sub-Deputy Collectors doing the same work as the Deputy Collectors ?—Most of them.

40321. Then with regard to the Provident Fund, you suggest contribution to it should be made compulsory upon all married officers ?—Yes.

40322. Do you think that would be generally popular in the Service ?—It will be very popular in the Service.

40323. Have you any idea what proportion of officers now contribute towards that fund ?—At least 70 per cent., if not more.

40324. You would like to see it obligatory on all ?—Yes.

40325. (*Sir Murray Hammick.*) Are you a Brahman ?—I am.

40326. What part of the world do you come from ?—I come from this part of the world and my district is Gya. I am a Bihari Brahman.

40327. Do you think that there are still a great many families of your own caste who would object to their children going to England ?—A very large number.

40328. They would have a very strong objection ?—A very strong objection.

40329. And even if they were given appointments in the Service, and then told that it was a condition that they should go to England, do you think there are a good many people who would refuse ?—A very large percentage would refuse to go to England under those terms.

40330. As regards the Provincial Service, you advocate recruitment by open competition, a certain percentage of vacancies being left for nominated candidates ?—Yes.

40331. Do you think it would be possible, instead of an open competition, to select these candidates on their University class lists, taking, say, the upper ones from the University class lists for a certain year and offering them appointments ? Would that be a way which would be in some manner better than competition ?—It is a very difficult question to answer, because in the competitive examination we may be able to introduce subjects which are not taught in the University, or which are not given so much prominence in a University examination. I should rather prefer a separate competitive examination.

40332. You would only make arrangements for getting in other communities by the system of a small percentage being nominated ?—Yes, in order to equalise the differences between important communities, if any.

40333. With regard to the listed posts, supposing it was recommended as a method of increasing the number of Indian Civil Service Indians that the listed posts should be extended considerably, would you see any objection to an arrangement under which the listed posts were filled not by the senior members of the Provincial Service but by the more junior members of the Service, who had undergone a period of trial in the Provincial Service for five or six years and then were put straight into the Indian Civil Service cadre as Sub-divisional Officers, Joint Magistrates, and given their full rights as members of the Indian Civil Service ?—I have said in my answer that the Collector should be caught young for the Provincial Civil Service, and I have also said that the inferior listed posts, which are now merged in the Provincial Civil Service cadre, should be separated, and the officers specially selected should be given those inferior listed posts first as a trial, and afterwards should be promoted to Collectorships. That answer of mine is exactly the same as the suggestion you have just made.

40334. Is not that going back to the Statutory Service that existed some years ago ?—I have a very vague conception of what the Statutory Civil Service was like and how it was recruited.

40335. The Statutory Service put certain men into the Civil Service straight off as Assistant Collectors, which is very much what you intend to do. Do you know enough of that Statutory Service to say whether the objections which were held to it were not rather objections that the wrong men were put in than objections to the system itself ?—I do not know enough about the Statutory Service to be able to answer the question.

40336. With regard to the Sub-Deputy Collectors, have you not certain classes of work which are done by these Sub-Deputy Collectors which do not require the intellectual capacity that is required for Deputy Collectors ; I mean work like the supervision of outdoor accounts, work which requires a great deal of travelling and trust and confidence in the honesty of the servant, rather than any great amount of intellect ?—Sub-Deputy Collectors do the same sort of work as the Deputy Collectors, and also sometimes the same sort of work as the Collectors, in the matter of inspection of accounts. The Collector goes out and takes the receipts from the ryots and sees that the accounts are properly kept. That is the sort of work for which a Sub-Deputy Collector is especially utilised, and the Deputy Collector and the Collector do the same work.

40337. Does the Deputy Collector go out and examine the receipts of those ryots and see whether they have been properly receipted ?—He does.

40338. That is rather a waste of a good man, is it not ?—I do not think so.

40339. Do you not think that a man who is honest, but at the same time not particularly brilliant, would be quite able to do that kind of work, provided the Deputy Collector came along at intervals and examined a percentage to see that he was doing his work properly ?—There might be men in the Subordinate Service who are more brilliant University men than men in the Provincial Service.

40340. Do you not think it might be possible to have a certain number of appointments for that class of work, which does not require any very high intellectual attainments, but requires honesty and sense of duty ? Would there not be enough appointments of that kind for a separate service, not so highly paid as Deputy Collectors, a service locally recruited from men who, although not so brilliant as the men in the present Deputy Collectors grade, would be at the same time efficient for this class of work ?—That class of work can be entrusted to the junior members of the Provincial Service.

40341. It is an expensive Service, and if you are going to make the Sub-Deputy Collectors Deputy Collectors you will add considerably to the expense of the Service. My suggestion is that you might have a cadre of 100 or 150 appointments from Rs. 100 to Rs. 200, recruited from a separate class, to do work which does not require the intellectual capacity that is required for the work that is done now by Deputy Collectors ?—I quite see your point, but just at present the Sub-Deputy Collectors are paid a low pay and are doing the same work practically as the Deputy Collectors are doing, and doing it honestly, so that Government is getting honest work done at a cheap cost. There is a good deal of discontent in that Service.

40342. But the discontent arises because you try and recruit the very same class of men into the Sub-Deputy Collectors as would, if they had luck, get into the Deputy Collectors. Therefore they are discontented. But if you had a locally recruited Service recruited by the Commissioner in each division, not by the Government, and put them into a Service which ran from Rs. 100 to Rs. 200 or Rs. 250, you would get just as good a class of men to do the work at a cheaper rate, and get rid of the discontent which now exists among the Sub-Deputy Collectors ?—I would not object to a small Service like that.

40343. Do you think from your experience of district life that you might be able to constitute a Service of that kind ?—Yes.

40344. (*Mr. Chaubal.*) Have you worked as a District and Sessions Judge at any time ?—No, but I am *ex officio* Sessions Judge in certain Native States adjoining my district.

40345. With regard to your opinion that you will not be able to secure good Barristers from the Bar, I suppose if the Chief Justice and Judges of the High Court recommend a man from their Bar as fit for carrying out the duties of a District and Sessions Judge you would consider their opinion to be of some importance, that they would not be likely to recommend a man who is not fit for a Judgeship ?—In my opinion some training as Executive Officer is absolutely necessary before a man is placed in charge of a district as District Judge.

40346. Do you think that the High Court has no knowledge of what Judges are required to do ? —I am not prepared to answer a question which reflects on the High Court.

40347. That is the point of view from which I wish you to look at it. Supposing the High Court recognise a man whom they have seen practising for ten years, and they say he is fit for the position and willing to take it, what would be the objection to recruiting some posts with men like that ?—I have great respect for the judgment of the High Court and I do not think they would make a mistake.

40348. When you say that the men who make the largest incomes will not take a District and Sessions Judgeship, have you in your mind men of many years' standing ?—Yes, I think a man ought to be at the Bar for at least 15 to 20 years.

40349. The men at the top, making very large incomes, are men of what standing at the Bar ?—I am afraid I do not know.

40350. You say that the men who are now at the top of the Bar and making large incomes will not take District and Sessions Judgeships ?—That is so.

40351. Of how many years' standing are the men that you refer to ?—No doubt more than twenty years.

40352. The same man who is now of twenty years' standing might have been willing to take up a District and Sessions Judgeship in the tenth or twelfth year of his practice. At that time he might be not able to make so much money, and it is not unreasonable to suppose that if a District and Sessions Judgeship were offered to such a man, with the prospect of getting a High Court Judgeship, a sufficiently capable man might be had from the Bar. I am not speaking of the total recruitment but only of some posts. Would you altogether exclude that source of recruitment ?—Experience counts for much, and I do not think experience of less than twenty years' standing ought to make any man eligible for the post of District Judge, apart from any other objections.

40353. What use do you expect a District and Sessions Judge to make of his appreciation of the difficulties of the Executive. Supposing you were a District and Sessions Judge and had had experience of the difficulties of the Executive, and as a Judge you were called upon to decide a case upon the evidence which came before you, what use are you going to make of your Executive experience ? You are able to appreciate what the difficulties of the Executive are, but how will that affect your judgment in the case ?—I apprehend that men who have not had experience of the Executive generally start with a bias against the Executive and they look at the evidence from a biassed point of view. That bias they will not entertain if they have themselves done the work of Executive officers.

40354. Can you tell me the way in which you will utilise your appreciation of the difficulties of the Executive in the actual trial of a case ? For instance, a man is charged with an offence and a certain kind and amount of evidence is brought before you. It is a case worked by the Police and the Police bring forward evidence. As an Executive Officer you appreciate the difficulties of the Police ; what use are you going to make of your appreciation of those difficulties in the conduct of the case before you ?—You cannot reject that evidence as altogether useless because it has come from the Police.

40355. A Judge who has that appreciation will attach a higher value to that evidence which another man might consider insufficient ?—I would not say higher, but he should attach the proper value to that evidence.

40356. It becomes of proper value on account of his appreciation of the difficulties ?—On account of his knowledge of the difficulties.

40357. (*Mr. Fisher.*) What was your University ?—Calcutta.

40358. I suppose you had a good deal of experience of competitive examinations ?—I had.

40359. Is it your experience that the young men who succeed most in these examinations do well in after-life ?—Not always. In a large number of cases it would be found that those who have distinguished themselves in the University have also distinguished themselves in after-life.

40360. Would it be safe to assume that the most distinguished Pleaders and Barristers in Bengal are men who have distinguished themselves at the University ?—I have not given much thought to that point and I have no statistical knowledge of it; but I should not be surprised if it came out that of those who have distinguished themselves at the University a large percentage have become distinguished at the Bar.

40361. I gather you are satisfied that the principle of the competitive examination works out well ?—On the whole.

40362. It is a good test on the whole ?—I cannot think of anything better.

40363. And you think in particular it has proved to be a good test in respect of the Provincial Civil Service ?—Yes, on the whole.

40364. Better than the system of nomination ?—Decidedly better than the system of nomination.

40365. How much experience have you of the results of competitive selection and of nominated selection in the Provincial Service ?—I entered the Service about 1893 and after three or four years the competitive system was abolished. Since then I have seen both classes of officers, and I think on the whole the officers who entered by competitive examination are proving more fit and more efficient than those who were nominated.

40366. (*Mr. Madge.*) You attach great importance on political grounds to the demand of educated Indians for enlarged usefulness in the Civil Service ?—I do.

40367. I quite agree with you, and I also agree with you that in the case of a first class man of high character and talent it is not absolutely necessary that he should go to England. I should like to understand whether we are quite agreed on something else. You say: "We do not want the most brilliant men the world can produce for administering the average district in India, which is usually peaceful and calm." Suppose you have a more brilliant man of another race than Indian and a less brilliant man who is an Indian, would you prefer the less brilliant man on the ground of your deference to political sentiment ?—I would prefer the less brilliant man on two grounds: First on the ground of political sentiment, and secondly on the ground that he would be more efficient than say the more brilliant German.

40368. But supposing he is an Englishman ?—Even an Englishman. An Englishman who comes straight from home without experience of India would be less useful as a public servant than an Indian recruited here in India.

40369. Do you think brilliance in itself connotes incapacity for governing or ruling ?—I do not mean that. He may be brilliant in many ways; he may have a knowledge of Latin, German, and French; but he may know nothing about Indian life; and therefore he will not be so useful an administrator as a Native of India. You suppose of selecting the Indian on political grounds would satisfy the whole country as well as educated class ?—An enlargement of the Indian element in the Service will satisfy the whole country.

40370. Is not the Government bound to appoint to all offices the best men they can find for the purpose ?—Yes, commercially speaking the Government is bound to have the best material for the price they pay.

40371. Not merely commercially, but politically, morally, socially, and on all grounds, are not they bound to find the best man whether he be English or Indian ?—In theory I should say yes.

40372. Who do you think should be the judge of the relative efficiency of the best candidate ?—The responsible Government.

40373. (*Mr. Abdur Rahim.*) You are a lawyer ?—No.

40374. Have you been a Judicial Officer ?—I have done some Judicial work in the Executive Branch.

40375. Magisterial work ?—Yes.

40376. Have you had Pleaders and Barristers appearing before you ?—Yes.

40377. Do you find them of any assistance to you in the trial of cases ?—Sometimes I do and sometimes I do not.

40378. Do you find yourself in a better position to try a Criminal case if you have no one appearing on either side ?—I have had a good deal of Settlement experience in which I had to decide Settlement disputes in camp, and I always found the presence of lawyers a great hindrance. Direct dealing between the Settlement Officer and the people concerned facilitated matters and enabled the officer to arrive at the truth much more quickly and more effectively than with the help of Pleaders.

40379. Are Pleaders' permitted to appear in those cases ?—They are not absolutely prohibited but they are discouraged as much as possible.

40380. Would you like to see the same sort of procedure in the trial of Criminal cases ?—I would not go so far as that. If I were trying on the spot I would go to that extent, but when trying Criminal cases within the four walls of a Court in a town matters are different. I cannot feel the pulse of the parties in the same way as I can when I am trying on the spot.

40381. Supposing the present system of trying cases within the four walls of the Court room

is not changed, you would rather dispense with the assistance of Pleaders ?—I wish I could.

40382. It is from that point of view I suppose that you say members of the Bar are not fitted to hold Judicial positions ?—I have not said it from that point of view. I have given my reasons.

40383. Do you know the class of men called Government Pleaders and Public Prosecutors ?—Yes.

40384. Do you consult them about a final appeal ?—Yes.

40385. Or in instituting cases ?—I have to consult them.

40386. You do not find it sufficient to rely on your own judgment ?—No, because the Courts are so technical.

40387. That is to say, if Law exists, lawyers must exist ?—In the present form of law, lawyers have to exist.

40388. And generally speaking they would be the best persons to administer the Law if they have a better knowledge of the Law than laymen ?—For elucidation of purely technical matters, lawyers would be to a certain extent helpful.

40389. Whatever is legal is technical ?—I do not look at it in that way. There are questions of fact and questions of Law, and sometimes they hinder the elucidation of questions of fact by putting forward one side of the question too much.

40390. Is there a question where you have not to apply the Law to facts ?—I have first to ascertain the facts and then apply the Law to those facts.

40391. And to apply the Law you must know the Law ?—Yes.

40392. And the man who knows the Law is generally the lawyer ?—I think the man who administers the Law also knows something about it.

40393. But he has to learn it first ?—He does learn it.

40394. By trying cases ?—No, by passing his departmental examination in Law.

40395. Lawyers pass an examination and then practise Law for years ?—An officer administers that Law for years.

40396. At the expense of litigants, is it not ?—I would not say at the expense of litigants. It is the lawyers who practise at the expense of litigants.

40397. That is your view ?—Yes.

40398. You have no experience of the profession yourself ?—No; I have not had the honour of being a Pleader or a Barrister myself.

40399. (*Sir Theodore Morison.*) Would you mind explaining something in your answer to question (7), where you suggest a separate examination as stiff as that at home, not for each province but for groups of similar circumstanced provinces, each group having a chance by some method of rotation. I do not understand what you mean by rotation ?—Let us have one group of very advanced provinces such as Bombay, Bengal, and Madras; let us have another group of less advanced provinces like Bihar, the United Provinces, and the Punjab; and let us have a third group like Orissa, the Central Provinces and others; and let there be a rotation of three or four years, every group having a chance each year.

40400. That is to say in the second year the men will consist solely of men from Bihar, the United Provinces, and the Punjab ?—I have not worked out the details very carefully, but that is the general outline.

40401. What would you think of the alternative of similar papers being set for all the different provinces, but the competition being in the groups you have suggested ?—We will say you have 15 appointments and there might be five to each group, and in the second group, Bihar, the United Provinces, and the Punjab, would compete for five places ?—I would not object to that.

40402. It has the advantage that you would not have, as it were, a swarm from one particular province thrown over the whole of India. Your particular proposal might result in 15 Biharis or Punjabis being scattered all over India one year, and next year a swarm of Madrasis or whatever it might be. Would you not attain the end you have in view equally well by a simultaneous examination for the whole of India, limiting competition within the group ?—I think my object will be attained by the system you have suggested.

40403. (*Mr. Maude.*) You say that the men who were obtained in your time by competition were superior to those who have been recruited since by nomination ?—Yes.

40404. At the time when you passed, the competition was open to people of any province ?—I think it was confined to the Province of Bengal as then constituted.

40405. With reference to the question asked by Sir Murray Hammick, have you not a Service locally recruited underneath the Subordinate Executive Service ?—Yes, called Kanungos.

40406. And they do the class of work to which you refer ?—Yes, they do, but the Service is very small.

40407. (*Mr. Hussain.*) You said in answer to the Chairman that you have no objection to the introduction of a time-scale of pay to a certain extent, after which you say there ought to be a system of selection ?—Yes.

40408. Supposing there was a time-scale of pay throughout, but that approved service should be the test, would you object to that proposal ?—It depends on what you mean by approved service.

40409. If a man has certain bad reports against him for inefficiency, idleness, incapacity, or anything of that sort, he would not be entitled to participate in that particular year. If he is reported on favourably next year he would participate. If that system is adopted up to the higher grade, would you object to the time-scale of pay being applied throughout ?—I should like to insist on a higher degree of efficiency in the higher Service.

40410. In that case the approval report would be more stringent. The officers would report on the approved service from year to year, and when an officer rose to a higher grade it would be for the District Officer to be a little more strict in his report than he would be in the lower grades ?—That is all I want, that in the higher grades there should be a much higher standard applied with regard to approved service when promotion is being made.

40411. If we leave it to the discretion of the District Officer's report as to whether a man in the Service has sufficiently approved himself to entitle himself to promotion, you would have no objection to the application of that system throughout ?—Subject to the condition that the degree of efficiency in the higher grades should be greater than it would be in the lower grades.

40412. That would be the instruction to the District Officer, that in reporting on the merits of the higher grades care should be taken to report from the point of view of a more rigorous test ?—Subject to that condition I would not object.

40413. You say in your answer to question (13) that the leave reserve does not seem to be inadequate. I suppose you know instances in which officers of the Provincial Service have applied for leave and been denied it on the ground that substitutes were not available ?—Many cases.

40414. You have proposed the merging of the Subordinate Service into the Provincial Civil Service ?—I said something to that effect in answer to a question from the Chairman.

40415. But you have also said that there is a good deal of congestion in our Service. Do not you think if the Subordinate staff is absorbed within a few years into the higher grades, that will be sufficient to relieve congestion ?—I think it would increase the congestion unless you add a larger number of posts to the higher grades.

40416. You said that the officers were overworked and that there should be an increase in the higher grades in order to relieve the block in promotion. Do you not think, if this staff of officers is gradually absorbed, there will be relief in two ways, namely, discontent would be relieved and the officers would get promotion, and at the same time the congestion of work would be considerably relieved ?—I think the members of the Subordinate Civil Service are equally overworked, so that the addition of that Service to the Provincial Service will not relieve any congestion of work.

40417. Will you still have the recruitment of the Subordinate Service after they had been absorbed ?—No. I should like the number of the amalgamated Service to be increased in order to relieve the present congestion of work.

40418. You want a further increase in addition to these men ?—I do.

40419. Then you will not have the Sub-Deputy Collector ?—No. Once they are absorbed into the amalgamated Service I would not recruit them at all, except for the small service to do the class of work which Kanungos are doing.

40420. You want an increased number of Kanungos ?—Yes, for that amount of unimportant work which the Sub-Deputy Collectors are doing at present.

40421. (*Mr. Datta.*) Is it not primarily requisite in a Judge to ascertain facts correctly and then apply the law ?—Certainly.

40422. A Judge ought to be trained to ascertain which facts are true and which facts are untrue ?—Certainly.

40423. Deputy Magistrates and Munsifs get the training to determine what sets of facts are true, do they not ?—Yes.

40424. Would they not become better Judges as District Judges than men from the Bar who have no training in determining what facts are true and what are not ? They always take a one-sided view ?—Certainly.

40425. Is that another argument why recruitment should not be made from the Bar ?—Yes.

40426. If recruitment be made from the Bar should not it be to the lowest rung of the ladder ?—Just as it is at present.

40427. You are not attached to the Judicial Service, but you probably know that Munsifs and Deputy Magistrates find great difficulty in getting a suitable house ?—Very great difficulty in any place.

40428. Is it not the duty of the Government to provide a suitable house for them ?—I do not know that it is the duty ; it would be very kind of the Government.

40429. But you think it ought to be done ?—It ought to be done if possible.

40430. You are one of the listed officers ?—Yes.

40431. You are a District Magistrate ?—Yes.

40432. What is the pay for third grade District Magistrate listed officers ?—Rs. 1,000.

40433. And the Deputy Magistrate's pay is what ?—Rs. 800.

40434. Do you not think he is worse off financially than a first grade Deputy Magistrate ?—Undoubtedly.

40435. Because he has to live in a house and keep up the prestige of a Magistrate ?—Yes.

40436. And the same thing applies to the District Judge over the first grade Subordinate Judge ?—Yes.

(The witness withdrew.)

MAZHARUL HAQUE, ESQ., Barrister-at-Law.

Written answers relating to the Indian Civil Service.

40437 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I consider the system of recruitment by open competitive examination as sound in principle, but I do

accept the present system under which it is held only in England as satisfactory.

40438 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—The present system is faulty, inasmuch as it has the effect of practically excluding Indians from their proper and legitimate share in the Civil Service. Many of the most intellectual and capable Indians who would have made ideal servants of the King are shut out from competing, because they are either too poor to bear the heavy expense of education and residence in England, or are not willing to undergo the trouble and the expense on the off-chance of being successful. The system has perpetuated a glaring injustice and created racial distinction which has caused much dissatisfaction in the country. I would suggest that examinations be held simultaneously in England and in India.

40439 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—No. I have already suggested that the remedy lies in simultaneous examinations.

40440 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons.—The combination is certainly to the advantage of Indian interest, as India has the chance of securing some of the best men from England and the colonies. It has the further advantage, although theoretical, of giving a chance to Indians of joining the Home and Colonial Services. Nevertheless, on political grounds, so long as the colonies do not treat Indians with fairness and justice, I would forego these advantages and exclude the Colonials from the Indian Civil Service. I am of opinion that the combination of the Home and Indian Civil Services should be retained.

40441 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—[*vide* answer to question No. (2).]

40442 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—Yes. I strongly support the system.

40443 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I do not favour any such scheme.

40444 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I have already said that I am a strong advocate of the system of simultaneous examinations and therefore need not reply to this question, but as a great principle is involved in the latter part of the question I should like to give my views in some detail. The question of the representation of the different classes and communities in the Public Services of India closely touches the interests of the Muslim community to which I have the honour to belong. Personally I have always been strongly of opinion that in the recruitment of all services, Government should be guided by one principle only, and that is the principle of efficiency. Any other consideration such as that of caste, class or creed should never be taken into account. Appointments based upon such considerations have produced great bitterness between the different communities of India, and widened the gulf between them. The most mischievous result of the system is that the Government in spite of good intentions get—I confess most unjustly—all the blame and are charged with showing favouritism to a particular community. Whenever a member of a certain community is fortunate enough to secure a post, on other grounds than that of merit, the other communities raise their voice in protest, and a very undesirable controversy is carried on in the papers. Again, the members of the community securing the post get the utterly unjustifiable notion that they are the favoured ones. Their unwholesome appetite for more posts increases and their disappointment at not securing them is proportionately great. The system of nomination has greatly demoralized my community. Instead of having prepared themselves for competing on equal terms with their brethren of the other communities, they have relied solely upon official favour. But I am glad to say that of late there has been a great awakening amongst the Mussalmans as in other communities of India, and now they fully realize that the system of nomination upon which they have relied up to this time has not been in the best interests of the community as a whole. Henceforth their attempt will most certainly lie in the direction of equipping themselves intellectually and competing successfully with the other communities. Education has advanced greatly, and now there is no paucity of educated Mussalmans who are sure to come out successful in any fair competition. There is another and a very important side of this question from the Muhammadan point of view, which should not be ignored. In numerical strength they are inferior to the Hindus, and under the system of nomination they cannot expect to secure more posts than they are numerically entitled to. Government cannot afford to give them more and thereby offend the feelings of the Hindus. The natural result would be that in some provinces, such as in my own province of Bihar, they will be simply nowhere. Under the system of open competitive examination they can secure as many places as they make themselves fit for and no one

can justly raise any objection. In my opinion, the remedy lies not in nominating members of backward communities to posts of trust and responsibility, but in helping them to raise their status in education and general culture, so that they may be able to compete on equal terms with their more advanced brethren. The system of nomination is not only unjust to the members of progressive communities but it is unfair to those who are backward. In the one case the just reward of progress is withheld, while in the other the incentive to self-improvement is taken away.

40445 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—Yes. I may say that I would make others than "Natives of India" also eligible for appointment in India.

40446 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—No.

40447 (11). Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—Yes. I am entirely opposed to the recruitment of the Indian judiciary from the members of the Indian Civil Service. I would separate the Judicial from the Executive branch absolutely. To my mind the combination of the two has been the fruitful source of much discontent in the country. I go further, and I say deliberately, having full personal knowledge of the subject, that in the system there is hidden the seed of great political danger in the very near future. People are not satisfied with the administration of Criminal Justice. Here I should like to guard myself by saying that my experience is confined to the Province of Bihar and a few eastern districts of the United Provinces, and I am not in a position to say with confidence as regards other parts of India, but from what I have heard, my remarks apply equally well to the whole country. The system bears on the very face of it the stamp of immorality, because after all what does it come to? It comes to this, that the judicial powers of the executive officers are held *in terrorem* over the people. In other words, if a man incurs the displeasure of a certain official he is in fear that the machinery of the courts will be moved against him. This state of things can only be tolerated in the early stages of a society in which the ideas of right and wrong are not fully developed, but with the advance of civilization the system is sure to be resented. Under the fostering care of British rule, the Indian people are advancing by leaps and bounds and the idea of justice on British lines is spreading fast amongst the masses. From the very commencement of the British rule administration of justice has been based and worked upon the lines and methods prevailing in England. Procedure is the same, and the Law of Evidence is the same. It has become a matter of instinct with the people that justice will be administered on British lines. Indian Barristers are educated in the British Inns of Court and trained in British law courts. Vakils get similar education and training. With the rapid progress of the country these ideas are sure to extend to those communities who are not already affected by them. It is neither possible nor desirable to turn back and introduce any new system of a primitive kind with rough-and-ready methods of dealing justice. To my mind the separation of judicial and executive functions is the most urgent and pressing reform which is required for the orderly administration of the country. I would suggest that the judicial services should be recruited from the practising members of the Bar. The posts of District and Sessions Judges should be filled up by Barristers and Vakils of at least ten years' standing and also by promotion from the rank of Subordinate Judges; while the posts of Magistrates, Deputy Magistrates and Munsifs should be amalgamated under a fresh designation and recruited from the junior members of the legal profession. If this simple scheme be not considered feasible for the present then I would, as an alternative, suggest that the District and Sessions Judges should be recruited in equal numbers from amongst the members of the Civil Service, from the members of the legal profession and from the Subordinate Judges. The members of the Civil Service should elect immediately after their passing the competitive examination to enter the judicial line and be trained with this object both in England and in India, before they are entrusted with any case-work. Under the present system an officer who has never tried even a petty money-suit in his life is, the moment he is translated to the post of a District Judge, called upon to adjudicate upon highly technical and complicated law points which usually arise in Civil cases and sits in appeal over the decisions of experienced Subordinate Judges. The result is a lamentable failure of justice and the consequent discontent of the litigants. The system is unfair to the people and unfair to the officer. It is unfair to the people because it denies them justice. It is unfair to the officer because through no fault of his, he is forced to commit injustice. It is also very expensive and uneconomical. High salaries are paid at an advanced period of service, for learning work which ought to have been learnt at the very commencement of the officer's career.

40448 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Acts, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter.—I would exclude persons of unmixed European descent from the definition.

40449 (13). If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons?—I would recommend 21—23 as the most suitable age for both Europeans and Indians. This age-limit will secure candidates of sufficiently mature age, who would realize and understand the great responsibilities of the high position in which they will be placed on their arrival in India. It is not too high to make them incapable of receiving new ideas and accommodating themselves to their new and entirely strange surroundings. If any candidate is so unfortunate as not to be able to compete successfully, he would be in a position to try other walks of life where with the help of the high education that he has already received, he would be sure of earning a decent living.

40450 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—25.

40451 (15). What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India, and for other natural-born subjects of His Majesty?—I recommend no differentiation at all. The age-limit should be the same for all and that is 21—23.

40452 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—I recommend that marks assigned for Arabic and Sanskrit be the same as for Greek and Latin. Persian and Pali should be added to the syllabus and classed among the modern languages with the same maximum of marks.

40453 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—No.

40454 (18). Do you consider it necessary that certain posts should be reserved by Statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons?—No.

40455 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—Certainly not. We are all "equal subjects" of His Majesty and I do not see any reason why any invidious distinction should be made between the different classes of His Majesty's subjects. Let the most efficient and capable men of the Empire serve their King to the best of their ability, and let not the "Natives of India" be debarred from any post, on the sole ground that they are "Natives of India."

40456 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—No. I have already given my reasons in answer to previous question.

40457 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?—No.

40458 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your Province would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—I would not advise re-introduction of any such system. My Province is far too advanced for it.

40459 (23). Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers from other Indian services?—The system should not be extended at all.

40460 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—If my scheme as outlined in my answer to question (12) be accepted there will be no necessity for listed posts in the Judicial Service. Subordinate Judges in certain proportions will be promoted as a matter of right. As to the executive posts, I would like to see as many of these as is considered consistent with good and efficient administration, to be thrown open to the members of the Provincial Civil Service.

40461 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one quarter of the listed posts?—No. (*Vide* my answer to the previous question.)

40462 (26). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—No.

40463 (27). Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—No. I would recommend that at least one-third of the Collectorships, one Commissionership and the posts of at least one Secretary to the Local Government be thrown open for the members of the Provincial Civil Service.

40464 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—Yes.

40465 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—In my opinion the period of probation should be at least 2 years, and, if possible, it should be spent at an English University. The course of study

should be of special kind so as to fit the candidates for the particular duties and kind of work which they will be called upon to perform in India. I would insist upon a full knowledge of Indian History of the different periods. As regards Muhammadan History I would not confine it to India but to Mussalman History in general. It is impossible for any one to enter fully into and understand Muhammadan view of any question who is not thoroughly conversant with Islamic history. A knowledge of Indian ethnology and folklore is also indispensable. I lay great stress upon learning the manners and customs of the people, as I have known serious mistakes having been committed by able and popular officers because of their ignorance of the ordinary and every-day manners and customs of the people. I have also known lamentable failures of justice, at the hands of some of the most conscientious Judges, on account of this ignorance. Some of the Indian customs are diametrically opposed to European customs and their natural observance on the part of the Indians and their equally natural breach on the part of the Europeans creates unfortunate frictions which in the interest of Government and people should be avoided. A knowledge of Indian Law must be made obligatory. If members of the Civil Service are appointed to judicial posts it will be very helpful to them if they are encouraged to appear at the Bar Examinations in England, take notes in British Courts and read in Barristers' chambers.

40466 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—Only this much that non-Indians should be made to learn the vernacular of the Province to which they will be attached.

40467 (32). Do you consider that the probationer's course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—I consider that the probationer's course whether he is covered by the definition "Natives of India" or not should be spent in England and in no case in India. The only differentiation that I would make is that those who are not "Natives of India" should spend another year of probation in India. This should be spent under the guidance of selected senior officers who have the reputation of being liberal-minded and sympathetic towards Indians, also in mixing with Indian gentlemen of position and influence and generally learning the manners and customs of the people at first hand. They should also attend courts, observe the procedure and take notes of cases.

40468 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—No. I attach more importance to actual practical work than to theoretical training.

40469 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—No.

40470 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—No. I have indicated the direction in which changes are required in reply to question No. (32).

40471 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—As I have never spoken to a member of the Indian Civil Service in any other language than English, I am not in a position to answer this question from my personal knowledge, but I have heard that their knowledge of the vernaculars has deteriorated of late, and they make some startling blunders in conversing with Indian gentlemen. The best remedy lies in frequent intercourse with Indians of position and influence and a grounding in the vernaculars.

40472 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch?—I have already expressed my views in my answer to question (32).

40473 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No.

40474 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—Yes. The exchange compensation allowance should be abolished in all cases.

40475 (46). If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?—I do not recommend any increase of salary.

40476 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—I would make no distinction

between the salary of officers whether they are members of the Civil Service, Statutory Civilians or officers of the Provincial Civil Service holding listed posts. The reduction of salary is a mark of inferiority which should not be allowed in high posts.

Written answers relating to the Provincial Civil Service.

40477 (51). Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—Yes. I consider the conditions suitable.

40478 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your province suitable, or have you any recommendations to make for their alteration?—For the Judicial Branch of the Provincial Civil Service I would retain the present method of selection by the High Court, but for the Executive Branch I would recommend recruitment by means of competitive examination.

40479 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—Yes.

40480 (55). Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend?—I am satisfied.

40481 (58). Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?—I cannot suggest any other designation.

40482 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes.

40483 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—No. In my opinion the Provincial Civil Services, both Executive and Judicial, should consist of 8 grades beginning with Rs. 300 a month and ending with Rs. 1,000. Probationers should get an allowance of Rs. 200 a month and their period of probation should be counted towards pension, leave, etc. The Subordinate Provincial Service should be abolished. The number of officers in different grades should be so adjusted as not to cause a block in any particular grade.

MR. MAZHARUL HAQUE called and examined.

40484. (*Chairman.*) You are a Barrister at Law and you were formerly a Member of the Viceroy's Council?—Yes.

40485. What other public positions have you filled or do you fill now?—I was a member of a Municipality for some years and also Vice-Chairman for a certain number of years. I acted as a Munsif in Oudh for four years. I am President of the Congress Committee here, and I was Secretary to the Bihar Moslem League, and so on.

40486. You consider that the present system of recruitment by open competition in England has "perpetuated a glaring injustice and created a racial distinction which has caused much dissatisfaction in the country." Your objection is based, I understand, on the trouble and expense of going to England?—Quite so.

40487. Is there anything in the examination itself to which you take objection?—I have said something with regard to the number of marks in Sanskrit, but nothing else.

40488. In answer to question (8) you lay great stress on the desirability of not recruiting the Civil Service, or indeed any Service, with a view to the interests of particular classes and communities. You do not suggest, I suppose, that Government could always have neglected the interests of the various classes and communities?—That is rather a political question. It all depends on the views of the Government at a particular time.

40489. Do you mean that the Muhammadan community has not hitherto reached that advance in education which some other communities may have reached?—That is so, but they are reaching it very fast indeed.

40490. What do you mean when you say that the system of nomination has greatly demoralised the ordinary Indian?—I have given my reason in the answer. Instead of preparing themselves to compete with other communities they have relied on favour.

40491. Do you think that without nomination in the past there would have been as much representation of the Muhammadan community as there has been?—No, there would not have been, but the compensating advantage to the community would have been greater. They would have striven their best to compete.

40492. You mean that if there had been no nomination, and possibly no representation, it would have been an extra incentive to the Muhammadan community to improve their education?—Exactly so. They would have tried to do that.

40493. Do you think the method you suggest would have been acceptable to the community?—It might not have been at that time, but they have now advanced in their political ideas and it would be quite acceptable to them now, I believe.

40494. Do you think they are sufficiently advanced now to compete successfully with other communities ?—Certainly.

40495. Do I understand by the answer you give to question (19) that you would be prepared to see the whole of the Indian Civil Service manned by Indians in future ?—In time. I would not mind that ; I should rather like it.

40496. Do you think that under a system of simultaneous examination many Indians will be successful in the immediate years to come ?—Not many.

40497. Do you think there will be any appreciable increase in the immediate future ?—Not very appreciable. A few will come in, but gradually of course the number will grow.

40498. But you would not care to see any limit put on the Indians ?—I would not put any limit at all. Let the most efficient of His Majesty's subjects serve His Majesty.

40499. In answer to question (30) you make a suggestion that not only Muhammadan history should be taught to probationers but Islamic history generally. Have you any classical books in your mind that you would prescribe with this object ?—There is the Right Hon. Syed Ameer Ali's book on Muhammadan history, and I can give any number of Arabic and Persian books, and there are a number of books in the English language too.

40500. You think that would be an advantage ?—A great advantage.

40501. In answer to question (52) you say you would retain the present method of selection by the High Court for the Judicial Branch of the Provincial Service. Why is a system of selection suitable in the case of the High Court and not in the case of selection by the Local Government ?—There is too much favouritism in a Local Government ; the High Court Judges are more impartial.

40502. Would you favour the proposal that has been made to us by some that there should be a Board established with a non-official element upon it ?—I would not mind that, although I have not thought over the question.

40503. So that in the case of the Provincial Service your objection to nomination is not really one of principle so much as of method ?—I believe at present Judicial officers are nominated by the High Court, and I want to continue that method.

40504. According to your answer to question (54) you do not feel perturbed by the number of non-residents of this province who hold places in the Provincial Service ?—At present in Bihar I feel it a little. There are many more non-Biharis than there ought to be.

40505. Would you like to see the Service recruited more from residents of the province ?—Yes, for the Provincial Service, but after all we cannot apply the same principle everywhere. It is impracticable.

40506. So that you do not hold the same objection to nomination in connection with the Provincial Civil Service ?—In the Provincial Civil Service there will be trained men recruited from the Bar. As regards the Provincial Executive Service, I have recommended a competitive examination because there you will have new men who are not at all trained. In the Judicial you will have junior members of the Bar.

40507. In the competitive examination for the Executive would you admit candidates from outside the province or confine them to the province ?—I would confine them to the province on the ground of impracticability.

40508. You think that on the whole open competitive examination is the best ?—Yes.

40509. In answer to question (60) you propose to abolish the Subordinate Civil Service. Does that mean that you would absorb the Sub-Deputy Collectors into the Provincial Service ?—Yes. They are the same class of men, with the same training and the same education, and I do not see any reason why they should be separated. There is discontent amongst them.

40510. You would not suggest they should all receive the same pay as the present officers in the Provincial Service ?—I would abolish the Service altogether and absorb it into the Provincial Civil Service.

40511. Would you not have a certain number of lower grades ?—It may be so for the present, but eventually there should not be any Subordinate Provincial Service.

40512. You would pay officers in the listed posts at the same rate as officers in the Indian Civil Service ?—Yes. Of course I am against listed posts as you will see from my answers. It is against my scheme.

40513. You would abolish them altogether ?—Yes.

40514. But if they be retained you would give them the same pay ?—Yes, I do not see any reason why they should receive less pay than the members of the Civil Service.

40515. If they were abolished would not that remove a considerable encouragement which now exists ?—If my scheme is adopted, I do not see why that should be.

40516. What is in your mind when you suggest the abolition of the listed posts ?—My scheme is that the Judicial Branch of the Service should be recruited from the junior members of the Bar, and a few District Judges should be recruited from the senior members of the Bar, say of ten years' practice. With regard to the Executive Service, there should be a competitive examination and there you will have a few listed posts ; you will have to give them a few posts to satisfy them.

40517. You would recruit the whole of the Judiciary from the Bar ?—Yes. I would amalgamate the Magistracy and the Judicial line.

40518. You do not think that the promotion of officers who have had long experience in the Judicial Branch would be of value to the Judiciary ?—I have said that half of them must be members of the Provincial Civil Service and the other half from the Bar.

40519. But I gathered from what you said just now they were to be all from the Bar. You mean, however, half from each ?—Yes. If this be not feasible, let there be one-third from the members of the Civil Service, one-third from members of the Bar, and one-third from members of the Provincial Civil Service.

40520. (*Sir Theodore Morison.*) You think that the dependence on nomination has been demoralising to the Mussalman ?—Most certainly.

40521. How long has this dependence upon nomination existed in that community ?—I think it has existed all along.

40522. Since when ?—I have seen it all my life, and I am forty-seven.

40523. You have seen it therefore for twenty-seven years ?—For thirty years.

40524. About what date would you give to this impetus towards education among Muhammadans ?—I believe it was in 1876 or 1874 when the Aligarh College was started.

40525. That was 1878 ?—It was about that time.

40526. So that it appears that the development of Muhammadan education has been synchronous with this dependence on nomination ?—Quite so. Before that there were some Muhammadans educated in the English language.

40527. But you said, as far as you know the dates, that the dependence of Muhammadans on nomination lasted for thirty years, and that this further development of Muhammadan education is thirty years old. Now may I test your theory that the incentive to self-improvement is found by disregarding the representation of communities. What is the condition of education among the Mussalmans of Sind ?—I believe it is very bad there.

40528. What proportion of appointments in Sind are held by Mussalmans ?—I have not the least idea. I was in Karachi some time ago and I heard it was very small.

40529. Have not there been complaints and a Government resolution some years ago to the effect that over 80 per cent. of the appointments were held by non-Mussalmans in a province which has 90 per cent. Mussalmans ?—I do not know about that.

40530. Anyhow you recognise that very few Muhammadans have secured appointments there. It has been left to this incentive to self-improvement and the result is that they are very ignorant. The system which you advocate has had a full trial in Sind ?—You forget that I say here : " In my opinion the remedy lies, not in nominating members of backward communities to posts of trust and responsibility, but in helping them to raise their status in education and general culture, so that they may be able to compete on equal terms with their more advanced brethren." If the Government had looked to the educational interests of Sind Muhammadans they would not be in this position now.

40531. Are there no special educational institutions for Muhammadans in Sind ?—I believe there is one school.

40532. There are more than that, I think ?—That is my impression, and nothing has been done for the education of Muhammadans in Sind.

40533. Are not Muhammadans well educated in Eastern Bengal ?—Did the Government take any special interest in their education there ?

40534. No. They were left to the incentive of self-improvement ?—Really.

40535. You say in your definition of Natives of India that you would exclude the persons of unmixed European descent from the definition. Why ?—Because they have so many more rights than we have. For instance, they can go in for the Army or the Navy.

40536. A man must elect for one or the other : he must be either a Statutory Native of India or a European ?—If a Native of India can join the Army or Navy then I would not exclude him, but if he could not, I would exclude him.

40537. I was thinking of the case of a family of pure English descent who have been in the country for three or four generations. You would not recognise them as Natives of India ?—I should be very glad to call such a man Indian.

40538. But you would exclude him ?—I would welcome him as an Indian.

40539. You would recognise Afghan settlers in this country as Natives of India ?—Yes, if they have been here for generations and acquired property here.

40540. If they had been here for two or three generations and were of pure Afghan descent, would you treat them as Natives of India ?—Certainly, as I would in the case of an Englishman.

40541. I thought you said you would not in the case of an Englishman ?—An Afghan would not go in for the Army or the Navy because they would not allow him.

40542. Why do you include Pali among modern languages ?—I do not know much about Pali, but I have heard, as I have heard about German and French, that there is a vast literature in Pali, including Indian history and so on, which would be of advantage.

40543. But it is not a modern language, is it ?—No.

40544. But you say it should be classed among modern languages ?—That is as regards marks.

40545. Does your scheme contemplate that the same man should take up Sanskrit and Pali ?—Yes.

40546. Pali is a variation of Sanskrit, is it not ?—Yes, so is Persian of Arabic. Persian is very easy for an Arabic scholar.

40547. Do you think that Pali bears the same relation to Sanskrit as Persian does to Arabic ?—I have heard so, but I do not know personally.

40548. Surely Persian is a different language from Arabic, an Aryan language ?—It is easy for Arabic scholars.

40549. But surely it is a different language ?—Certainly it is a different language.

40550. But Pali and Sanskrit are not different languages, are they?—They are variations of the same language.

40551. (*Mr. Abdur Rahim.*) Have you studied the history of the education of Muhammadans in the Province of Bengal during the last 30 or 40 years ?—To a certain extent.

40552. Are you acquainted with that history ?—To a certain extent ; I do not say I have studied it thoroughly.

40553. You know that this province was part of Bengal until the other day, and therefore I will deal with Bengal only. I suppose you will admit that within the last four or five years there has been a considerable improvement in the education of Muhammadans in Bengal ?—Certainly.

40554. Do you know how long the system of competition for the Provincial Services existed in Bengal ?—I could not say, but it was for some time.

40555. It was abolished about 10 to 15 years ago ?— I could not tell you.

40556. Are you aware that during all the time that this competitive system lasted not a single Muhammadan got in ?—I know that.

40557. Supposing your idea was adopted, if we were to judge from past experience the result would be that Muhammadans would be totally excluded from the Provincial Service ?—Not at all. During the last 15 years Muhammadan education has advanced very much.

40558. Do you know the number of graduates among Muhammadans ?—No.

40559. Supposing we put it at 200 and for the other communities 2,000, and they have to complete together, what would be the chances of the Muhammadans ?—It would depend on the intellect of the men. The 200 might get in.

40560. You would not claim that the Muhammadans had advanced more than the Hindus as regards point of intellect ?—No.

40561. Supposing they stand on the same intellectual footing, then the chances of one man against ten would be one-tenth, would it not ?—Yes.

40562. And supposing there were nine places, the Muhammadan would not get in at all ?—That is so.

40563. If you take the census of last year, or the last five years, you would find that would be about the numerical proportion of Muhammadan graduates, if it is not worse ?—I do not see it. I should be very glad to change my views if I were satisfied.

40564. If there are nine vacancies and there are ten non-Muhammadan candidates and one Muhammadan candidate, all of similar intellectual qualifications, the chance of the one as against ten would be one-tenth ?—Yes.

40565. Then if there are only nine appointments he will get nothing ?—He might be the first man.

40566. Supposing there are five appointments ; what would be the chances of one against ten ?—Why should not we get all the five ? If we are intellectually capable I do not see any reason why we should not top the list. If we are intellectually incapable it is better that we should be ousted by those who are capable.

40567. We have had evidence in Bengal that since the Muhammadans have been getting more largely into the Provincial and other Services education has considerably advanced, especially among the sons of those people, and that it was really the lack of means in many cases that stood in the way of Muhammadans giving their sons a proper education ?—That has been always my opinion, that the poverty of my community has been the cause of their not having advanced in education. But to say that because a few officers have got into the Service therefore Muhammadan education has advanced is something that I do not agree with.

40568. From that point of view the education of Muhammadans would be advanced if there were a proper recruitment of that community in the Service ?—I do not agree to the premises that simply because there are a few officers in the Service, therefore Muhammadan education has advanced. It is a proposition I cannot understand.

40569. Would it not serve as an encouragement to education if they find there is a reasonable chance of getting into the Service ?—Certainly.

40570. You lay a great deal of stress upon competitive examination as a means of recruitment for the Executive portion of the Provincial Service as well as for the Indian Civil Service, and I should like to know whether you are expressing your own personal view or the view of the Muhammadans of Bihar ?—The views of the Muhammadan community during the last two or three years have undergone a very great change indeed.

40571. What you have expressed in your evidence is your personal view ?—I do not say the majority, but a very large number of Muhammadans hold those views.

40572. Did you call any meeting of Muhammadans to ascertain their views ?—I am not the Secretary of the League now, and therefore I had no business to do so. I was present at the meeting which was convened for this purpose, but unfortunately very few people turned up for reasons I do not want to enter into here, and therefore there was no discussion.

40573. I simply wanted to know whether it was your own view or representative of any body ?—I am most intimate with almost all the Muhammadan leaders of India, and I find that most of them are of this view now. They were not so three years ago, and I myself would have hesitated then to put forward this view on behalf of my community.

40574. I wanted to know whether it is the view of the Muhammadans of this province ?—Of very many of them, I think.

40575. You would recruit the judiciary, for a certain proportion of it, from the Bar. We have had considerable evidence that the Bar is not the proper recruiting ground for District Judgeships: do you accept that opinion?—Certainly not.

40576. It is said that Executive experience is a necessary qualification for a Judge?—I do not agree with that.

40577. You would suggest that very much executive experience tends to destroy what is called the Judicial frame of mind?—I believe so. That is my experience at any rate. For instance, I have heard that Settlement Officers make good Judicial Officers. Undoubtedly they get some experience, but they get into the habit o discarding procedure and adopting rough-and-ready methods of justice, and when they come back to the general line they never get rid of that habit. That is the reason why they are very unpopular.

40578. What Courts are you referring to?—The Joint Magistrates or Magistrates who come back after Settlement work.

40579. Are you giving voice to the general opinion of your profession?—I am sure about it. It is the experience of everybody.

40580. How long have you been practising in Bihar?—About twenty-two years. I was called in 1891.

40581. And you have had experience in most districts of Bihar?—Yes.

40582. You would suggest that even Deputy Magistrates ought to be recruited from the Bar?—That is what I have said in my written answers. I said the two services should be amalgamated.

40583. Do you think that would be an advantage?—Distinctly.

40584. In what respect?—As regards the administration of justice.

40585. You would separate the two functions so that Magistrates could only try Criminal cases and have nothing to do with executive work?—That is what I have said.

40586. (*Mr. Madge.*) With regard to what you say as to the exclusion of persons of unmixed European descent from the definition of Natives of India, you were of course aware that a statute, a proclamation, and speeches have been quoted to us to the effect that no man's race should be a bar to his appointment to any office for which he is otherwise fit. Does it not strike you that a corollary to this opinion of yours would be to set aside those concessions so far as they relate to Europeans in India?—No. They have other rights. We have not all the rights of Europeans.

40587. The definition of Natives of India was introduced in order to open up certain appointments to certain classes, and in excluding persons of unmixed European descent from that definition you practically exclude them from the benefits conferred, and in that respect you really rescind the concessions made in the Proclamations and documents I have referred to?—You mean Her Majesty's Proclamation?

40588. Yes. It is said that no man's race should be a bar to selection for any appointment, and this definition has been made for the specific purpose of rendering certain classes eligible for certain appointments. By excluding persons of unmixed descent from this definition you really exclude them from that concession?—For certain reasons.

40589. But you do exclude them?—Yes.

40590. And to that extent you rescind that concession?—Yes.

40591. You also object to a minimum proportion of European subjects being fixed?—Yes.

40592. You said you were looking forward to the time when you hoped all these appointments would be for Indians?—I did not say I was looking forward to the time but that it was quite possible the time might come. I believe I did not go further than that.

40593. But for the present do you think that a certain element of European officials is necessary?—Yes, at present.

40594. To that extent you do not object to a minimum proportion being retained?—There is no question of a minimum proportion at all. I say it is impossible to think that Indians will swamp the Europeans for a certain number of years. It is no use talking about the thing just now because the question does not arise.

40595. You may think it is of no use but I ask because I think it is of some use?—I think it is not.

40596. (*Mr. Chaubal.*) You said you have been studying to some extent the history of education in this country. In that study have you found that those who were at one time supposed to be the most advanced and educated classes, such as the Brahmans, have been beaten on their own ground so far as it can be tested by the results of University examinations?—Yes.

40597. Take for instance my presidency. If you look into the earlier calendars you will find that the first classes and the higher prizes were carried away by the Brahmans, but if you look into the recent calendars you will find it is very rarely that a Brahman comes in at all. I suppose what you mean is that once there is an impetus towards higher education in a community the actual strength and robustness of that community will assert itself, and you set a higher value on that?—Yes.

40598. You were questioned about Sind for instance, which is supposed to be the most backward of Muhammadan parts of the country; but are you aware that the Muhammadans of Sind have come forward volunteering to be taxed for the purpose of educational advancement?—I was present at that meeting at Karachi.

40599. If the judiciary is recruited as at present from the Indian Civil Service, then no doubt the experience the Civilian Judge gets in the Executive line may be of importance?—I think so.

40600. But that experience which is obtained from Executive work comes from other directions so far as practising Barristers are concerned ?—Of course, and to a great extent too.

40601. So far as the knowledge of the manners and customs of the people of a Province is concerned, is not practice at the Bar of equal or more importance than the so-called Executive experience of a Civil Judge in Settlement and other work ?—I think practice at the Bar is of more importance.

40602. Can you tell me why ?—Because these lawyers know everything ; they are behind the scenes and they know the manners and customs of the country and the facts of the case in a way which the members of the Civil Service cannot do. It is impossible for them to acquire the knowledge.

40603. (*Sir Murray Hammick.*) I should like to understand your scheme a little better than I can from these papers. I understand you would like to see simultaneous examinations at once ?—Yes.

40604. You would like to see the recruitment of every Judicial post from the Bar ?—Yes.

40605. And I understand you would like to see an increase in the listed posts to the extent of one-third of all the appointments, and that you would like to see the Commissionerships and post of one Secretary to the Local Government thrown open to the listed Service ?—Yes.

40606. Have you any idea as to how many appointments you will have left for the Civil Service ?—No, I have not considered that.

40607. If you are assured that the immediate result of that will be almost the total withdrawal of all English candidates from the Civil Service examination in England, and the complete abolition of the Indian Civil Service as recruited from England within the next four or five years, you would not look upon that result with any apprehension at all ?—Assuming that we get no more European members in the Indian Civil Service I would modify my scheme to a certain extent.

40608. You are not prepared to see within four or five years of the institution of this scheme of yours the complete abolition of all the European element in the Service ?—No, I am not prepared to see that.

40609. I understand you do not speak for any Association in Bihar with regard to the scheme you have put forward ?—The scheme has not been put before anybody, but I believe these are Congress views also.

40610. Is there a Moslem Society in Bihar ?—There is the Bihar Provincial Moslem League.

40611. Although you have not put this scheme before that League, you think there is no doubt the members of the League would accept it ?—I do not say all the members of the League would accept it. To-morrow you will have the Secretary of the League before you and he will be the proper person to represent Muhammadan views here. I have discussed this scheme with some of my friends, both Muhammadans and Hindus, and some have agreed and some have disagreed. I cannot go further than that.

40612. But I understand you to say you thought the Joint Magistrate's Courts throughout this Province were exceedingly unpopular ?—No, I did not say that. I said those officers who came back from Settlement work to the general line are unpopular.

40613. But most of these Magistrates' Courts are manned by men who have undergone Settlement training, are they not ?—Some of them are, but not most. When they come back from Settlement work they are very unpopular.

40614. You think that when an officer comes back from Settlement work and takes up his duties as a Joint Magistrate his Court is very unpopular ?—Yes.

40615. Do you mean unpopular amongst the masses of the people or unpopular amongst the profession of lawyers ?—It is very difficult to distinguish between the two, because after all the members of the profession lead the masses, the litigants who come to Court.

40616. We have had a good deal of evidence to the effect that the existing Courts are extraordinarily popular with the masses of the people and that no change in them is required, but that is not your view ?—If by the masses you mean those who go to the Court, then I do not agree. Those who do not go to the Court perhaps have no views on the matter at all.

40617. But they are not popular amongst the people who go to the Court ?—No.

40618. The prisoners and the witnesses ?—I mean the parties.

40619. Did you not say that the opinion of the Muhammadans, taking them as a body, has changed in the last three years on this point of simultaneous examination ?—On almost every point in political questions.

40620. Can you tell us what has brought about that change ?—Several things have brought it about. For instance, there is the general education which has spread, the partition of Bengal, and others which I need not mention here.

40621. (*Mr. Hussain.*) You seem to be particularly jealous about that expression "unmixed European descent." May I ask if that jealousy arises from the fact that when you claim, on the strength of the same definition, admission into Services like the Pilot and Custom Services, you are denied the advantage of that definition ?—That is what I have said. I do not say I am jealous of anything, but that is one of the reasons.

40622. I should like to know whether you have sufficient knowledge of the Members of the Provincial Civil Service to say whether they deserve appointments to listed posts ?—I have recommended that.

40623. You would not favour a system which would exclude them from participation in the

higher posts?—I would welcome it. I think it would be a great help to the Government.

40624. In all cases you would retain these listed posts, even if the alternative scheme you have suggested was put into force?—Yes, of course.

The following portion of MR. MAZHARUL HAQUE'S evidence was taken *in camera.*

40625. (*Chairman.*) It is better in the public interest to deal with two of your answers in private. In answer to question (11) you say "the judicial powers of the executive officers are held *in terrorem* over the people." Could you give the grounds for that?—I have come across very many cases of that kind in my professional career.

40626. Could you give instances?—Yes. I was engaged in the well-known case of Narsingh Singh at Chapra. I conducted that case, which I think everybody must have heard about, so that I need not go into the facts.

40627. That case, I suppose, is on record?—Yes.

40628. Could you give a brief outline of the case?—I have printed copies at Chapra which I can send to the Commission.

40629. We only want an outline of what the case was which you are giving as an instance of powers that are "held *in terrorem* over the people?"—When I say "*in terrorem* over the people" I am discussing the principle. I do not say that they are always held *in terrorem* over the people, but it comes to that. Otherwise I do not see any meaning in the combination of judicial and executive. There are miscarriages of justice. There are for instance several cases under Section 10 which I could give, as I have myself conducted them. False records were made and the men were sent to jail. I could give many cases like that.

40630. But we want something much more specific than you are giving us now?—I have given at least one case.

40631. Should we be able to satisfy ourselves on that by reading the records of it?—Yes. The record is printed in pamphlet form and any one can get it. It is Mr. Pennell's case. There are two volumes with the exhibits, and they are on sale in Calcutta.

40632. What is the reference?—I can only give the name.

40633. (*Sir Theodore Morison.*) What is the date?—I believe it was 1899.

40634. (*Sir Murray Hammick.*) You are talking of Mr. Pennell's case?—Yes. I myself conducted it.

40635. (*Chairman.*) Have you anything more recent to give us? In a case like this we want more than a belated case of 14 years ago to justify the statement that "the result is a lamentable failure of justice at the hands of some of the most conscientious judges on account of this ignorance."—That is as regards want of knowledge of the manners and customs not as regards the separation of the judicial and executive.

40636. But if there is really a "lamentable failure of justice" you ought to be able to give us some concrete instances. It is no use to us unless you do. We want to have actual facts before us of failures of justice, and unless we have them statements like this in a public enquiry are not worth the paper they are written on?—That is the impression of the public.

40637. Cannot you give us more than the impression of the public?—If you would give me time I could find many cases on the records. I could give the names but not the references. If I had known I should be called upon for references I would have come prepared to give them.

40638. It is unfortunate that you cannot give us the cases because our enquiry into the statements you make is not advanced at all?—I can send the references later on. The Commission is not going to send up its report at once.

40639. It is necessary for us to have instances?—You can find many cases in the Indian Law Reports.

40640. We have to go by the evidence we receive from witnesses: we cannot go probing into the Law Reports?—The latest case is one decided by the High Court of Calcutta.

40641. (*Mr. Fisher.*) That is Mr. Justice Mukherji's case?—Yes.

40642. (*Mr. Abdur Rahim.*) When you referred to section 10 you were referring to the prosecution of wealthy zemindars under those sections which ultimately result in acquittals by the High Court or by high authorities?—Yes. There was a case in this town where a wealthy man was ruined.

40643. Have you notes of cases which have been heard under those sections and section 107 in which you say there were miscarriages of justice in the first instance?—I have not the notes.

40644. Have you conducted many cases like that?—Yes, I have, many cases. For instance, there was the case that went on for six months at Chapra, a Deputy Magistrate's case.

40645. Can you give us the name of that case?—I forget the name of the party. The whole case was upset.

40646. Can you send us the name?—I will send you a list of several names.

40647. We want you to give us a list of cases in which you yourself were concerned, or of which you have knowledge, in which Sections 107, 110 and other sections have been used for the advancement of parties?—Only the other day I had a case before a Deputy Magistrate and I advised the party to go to the High Court and the High Court quashed the whole thing.

40648. That is the sort of case we want. We want to know the facts, and what happened in the first instance, and what happened

before the High Court ?—I can give you dozens, but not off-hand.

40649. What I understand by "held *in terrorem* over the people" is that the District Magistrate is the head of the police and of the Magistracy and is entitled to initiate prosecution as an Executive officer and can try the case himself, or if he is objected to that case can be tried by a Subordinate Magistrate. It is this power of initiating or sanctioning prosecution in a case that is to be tried by himself or a Subordinate Magistrate that leads to this position of which you are complaining ?—Yes.

40650. Do you know the pamphlet of Mr. Ghose ?—Yes, I can get it.

40651. Has it been brought up to date?—I do not think so.

40652. If you will give us notes of the cases of which you have had experience we shall be obliged ?—I will be glad to send them on.

40653. Have you had a large experience of pleaders and barristers here ?—Yes.

40654. Are there pleaders of standing who would be fit to be appointed District and Sessions Judges ?—Certainly.

40655. Can you say roughly how many there would be in this Province ?—I could give you half a dozen names off-hand. There may be four or five barristers in Bihar who would not accept it as they are on the top, but there are very capable men of perhaps ten years' standing who would gladly take up the post of a District Judge. Barring the topmost men, you would find plenty of men.

40656. (*Mr. Madge.*) You say "from the very commencement of the British rule administration of justice has been based and worked upon the lines and methods prevailing in England. Procedure is the same, and the Law of Evidence is the same." I am afraid that historically this statement is about as inaccurate as any statement of this kind could possibly be, because the whole history of British administration in India shows a paternal despotism and patriarchal rule, and it has gradually advanced towards the reign of law step by step, year by year. The question whether this is wise or not is another matter, but as a matter of fact British rule is not and never has been the same. You hold that this is a perfectly accurate statement ?—When you have come to the conclusion that it is an inaccurate statement what is the use of asking me the question ?—

40657. (*Chairman.*) We cannot go into a discussion on this subject now.

40658. (*Mr. Madge.*) I simply wish to know whether the witness adheres to the statement as being perfectly accurate ?—I do think it is accurate.

40659. (*Mr. Chaubal.*) When you say "The result is a lamentable failure of justice and the consequent discontent of the litigants" you are pointing out the evils of want of training, because you say just before : "Under the present system an officer who has never tried even a petty money-suit in his life is, the moment he is translated to the post of a District Judge, called upon to adjudicate upon highly technical and complicated law points which usually arise in civil cases, and sits in appeal over the decisions of experienced Subordinate Judges ?"—Yes. I am talking about civil cases.

40660. (*Chairman.*) The point we are asking you about now is your statement in the middle of your answer to question (30) where you say "I have also known lamentable failures of justice at the hands of some of the most conscientious judges on account of this ignorance ?"—There I am talking about the manners and customs of the people. There have been some instances of that kind. I do not blame them at all ; it is more a misfortune than anything else.

40661. (*Mr. Chaubal.*) Can you give instances of the kind of failures you speak of as due to ignorance of manners and customs ?—Yes. I will send you references. Anybody can go through the Indian Law Reports and find them there.

40662. (*Sir Murray Hammick.*) You say that the Judicial powers of the Executive officers are held *in terrorem* over the people. What do you mean by Executive officers ?—I mean those who are on the Executive side, for instance the District Magistrate and Sub-Divisional officer and so on.

40663. Are you not of opinion that in this country the police are open to a great many influences towards corruption and tyranny such as do not exist in Europe ?—Yes.

40664. Granted that, do you not think it is of importance that the head of the district should have complete charge of the police and at the same time should have very close cognizance of all cases that are brought by the police against persons in the district ? The very fact that he knows both sides, the police and their unscrupulous methods and the kind of work they very often do, and on the other hand the cases which are brought against particular people in his district, very often enables him to stop corrupt methods in the police, which, if he was not head of the district, would not come to his knowledge or be under his control. We are both anxious to do the same thing. Nobody is more anxious than this Commission to put down this alleged tyranny over the people, but it has always struck me that you are dealing in this country with a police who are exceptionally corrupt, and therefore it is of great importance that the head of the district should have absolute control over the police, at the same time that he is Magistrate, and that if you divide these two functions and leave the Magistracy separate from the police and place the head of the district at the head of the police, you would be instituting an organization for tyranny in the district which would be absolutely without control, and that the last state of things would be a great deal worse than the first. Have you never thought of it from that point of view ?—With all due respect, I do not agree with you.

40665. But have you thought of it carefully from that point of view?—I think it is so patent. The thing is obvious and must strike everybody. But I do not think it is feasible in this country. Justice should be absolutely impartial. First impressions make great difference. The police officers speak to the Magistrates. They go to a young Magistrate, or even to a senior man, and give him the facts of the case, and naturally he becomes biassed in their favour.

40666. That I do not deny at all, but what I say is that the protection which is given to the people of the district by the very fact that the head Magistrate of the district is conversant with everything that goes on on the part of the police is a great safeguard against injustice of that sort?—A judge should not know the facts of the case, either on behalf of the prosecution or on behalf of the defence, except as given under the Law of Evidence.

40667. On the other hand, do not you think that in a country of this sort, where such a great deal of evidence is false, it is extremely important for the judge or the head of the district to know the source and see the records of all these cases which are dealt with under Section 110, an importance which is not known in England?—Let him see the records, but do not let him decide the case.

(The witness withdrew.)

(Adjourned till to-morrow at 10·30 A.M.)

Thursday, 27th March 1913.

FORTIETH DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman.*)

SIR MURRAY HAMMICK, K.C.S.I., C.I.E.
SIR THEODORE MORISON, K.C.I.E.
MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.
ABDUR RAHIM, Esq.
WALTER CULLEY MADGE, Esq., C.I.E.
HERBERT ALBERT LAURENS FISHER, Esq.

And the following Assistant Commissioners:—

WALTER MAUDE, Esq., I.C.S., Member of the Board of Revenue.
KHAN BAHADUR ASHFAQ HUSSAIN, Deputy Magistrate and Deputy Collector.
NARENDRA KISHNA DATTA, Esq., B.L., Officiating Additional District and Sessions Judge, Shahabad.

M. S. D. BUTLER, Esq., C.V.O., C.I.E. (*Joint Secretary.*)

LOUIS JAMES KERSHAW, Esq., C.I.E., I.C.S., Financial and Municipal Secretary.

Written answers relating to the Indian Civil Service.

40668 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The present system is not ideal in theory but it yields on the whole good results. It has stood a long test and although open to obvious objections is better perhaps than any other system that could be devised. Should, at any future time, any marked deterioration in the standard of recruitment occur, the cause will probably be found not so much in the method of recruitment as in less attractive conditions of service.

40669 (3). Is the system equally suitable for the administration of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—There can be no doubt that Indian youths—and especially those of slender means—are handicapped under a system which requires them to undergo a preliminary and expensive training in England before examination. But although this defect may be regretted, no alteration in the system would be justified unless it could clearly be shown that, if this preliminary training were done away with, successful candidates would be equally fitted for employment in India. There can be little doubt that residence in England at an age when the mind is susceptible to new ideas is highly desirable, if not essential, and it is not unreasonable to impose this condition upon those destined to hold high posts in a country governed by British methods. A period of probation spent in England after examination

is not sufficient. Even if that period be two years the time is too short, and at any age over 20 the character is set and new ideas cannot readily be assimilated.

40670 (4). Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?—No differentiation is desirable between any classes.

40671 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—There is this advantage in a combined examination, that there is some assurance that recruits for the Indian Civil Service are approximately of the same quality as those who enter the Home and Colonial Civil Services. But in recent years the Indian Civil Service has lost in popularity, and those who pass out highest usually choose the Home Civil Service. The change is very significant, and as it is essential that the best candidates available should be recruited, the causes of the change should, if possible, be ascertained by enquiries in England, and if, as is probable, it be found that the conditions of service in India are less attractive than formerely, it is desirable, in Indian interests, that they should be improved. I think, however, that on the whole something might be gained if the age-limits were lowered and a separate examination held. In this way the Indian Civil Service Examination might intercept first class recruits who otherwise would enter the Home Civil Service.

40672 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(*a*) Selection by headmasters of schools approved or otherwise: (*b*) Selection by authorities in Universities approved or otherwise: (*c*) Nomination by headmasters or University authorities and selection under the orders of the Secretary of State: (*d*) Combined nomination and examination: (*e*) any other method?—There is something to be said for each of the first four methods, but in each case the disadvantages appear to outweigh the advantages and on the whole the present system, which has stood a long test, should be retained.

40673 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am opposed to any system of simultaneous examinations, as such a system is inconsistent with the accepted principles on which the Indian Civil Service is based. The arguments (which need not be repeated here) used by the Public Service Commission of 1886-87, by the Government of India in 1893, and by the Secretary of State in 1894, still hold good and appear to be conclusive. Another strong argument against the system is that it would inevitably lead to a cleavage in the Service and to a consequent loss of efficiency. At present there is no question of differential rates of pay between European and Indian members of the Service, as it is assumed that the preliminary residence in England places both classes on the same level. But if simultaneous examinations were held it would be necessary in the interests of the tax-payers to face the question whether those recruited in India should be paid at the same rates as those recruited in England. The scale of pay of any service should be fixed so as to attract the best class of recruits, and, whatever opinion may be held as to the adequacy of the scale of pay fixed for the Indian Civil Service recruited under present conditions, there can be little doubt that a lower scale would attract the best Indian recruits available if recruitment took place in India. It is not merely the case that the standard of living in the two cases is different, but the field of employment open to the educated classes in India is much more limited than in England. The introduction of differential rates would lead to deplorable results. At present Indian candidates who are successful in the open competition are welcomed as members of the Service; they are in all respects on the same footing as European members, and they share in its *esprit de corps*. But if the Civil Service were composed of two sets of officers, paid at different rates, recruited under different conditions, and with wholly different ideals, a cleavage would inevitably result, all community of interest between European and Indian members would disappear, and the Indian members would in reality form a service but slightly removed from the present Provincial Civil Service.

40674 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—Pure competition is in India a most dangerous method of selection for important posts, and I am strongly opposed to any system of separate examinations held in India to fill up a fixed proportion of the vacancies in the Indian Civil Service. Such a system is open to all the objections urged against simultaneous examinations, and it would be extremely difficult to justify in the case of recruits obtained in this manner the scale of pay drawn by members of the Service recruited in England. Nominally such officers might be members of the Indian Civil Service, but they would, in reality, be in much the same position as officers of the Provincial Civil Service who hold listed posts. If, moreover, such a system were introduced, it would be necessary to withdraw from the Provincial Civil Service the prize appointments already given, with the result that that Service would be debased and the standard of recruitment lowered. It is

probable, if separate examinations were introduced, that Indian youths would cease to appear at the London Examination, and there would thus be lost to Indian members of the Service the great advantages of a preliminary period of residence in England. In one respect indeed the system has less to commend it than the system of simultaneous examinations. If not at the outset, then in course of time, the subjects and age limits of the two examinations would be different, and in the absence of a combined list there would be no standard of comparison between the two classes of recruits. The inevitable result would be that the prestige of Indian officers recruited in India would suffer and this loss of prestige would lower the estimation in which the Service as a whole is held by the people.

40675 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—Such a system would entail a reduction in the number of listed posts or, at all events, would bar any increase in the number of such posts in the future, and would thus tend to lower the attractions of the Provincial Civil Service. The rules of 1910 already provide, within certain limits, for the appointment to listed posts of "Natives of India of proved merit and ability" who are not members of that Service, and although I see no objection to the modification of that rule so as to permit the Local Government to appoint any "Native of India," I would not specifically create a third class of posts. In my view the true line of advance is so to revise the pay and prospects of the Provincial Civil Service and of the prize appointments attached to that Service, that the best recruits available in India would be obtained. In this way the field of selection for listed posts would be widened and if it were found desirable to throw open to Indians a larger number of existing appointments or a share of new appointments (and these, with the increased difficulty of administration, are bound to be created) the number of listed posts should be increased.

40676 (14). Are you satisfied with the present definition of the term "Natives of India" in Section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—The definition is suitable.

40677 (15). If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—I favour fixing the age-limits at 20—22 with a period of probation of one year. The fundamental condition that each successful candidate should have received a liberal general education would be satisfied and a recruit arriving in India at the age of 22 or 23 would be keener and more adaptable than at present. There is the additional consideration that a separate Indian Civil Service examination might, if the age-limits were lowered, intercept candidates who otherwise would select the Home Civil Service. In this connection some regard should be had to the age at which an officer can retire. If service commences at the age of 22 or 23 a civilian could retire at 47 or 48, but under the present rules he cannot retire before 49 or 50. It is desirable that an officer who has completed 25 years' service in India should be in a position to retire at an age when he can enjoy his pension.

40678 (16). What is your experience of the relative merits of the candidates selected under varying age-limits, particularly under the systems in force from 1878 to 1891 (age limits 17—19 years, followed by two or three years' probation at an approved University) and since 1891 (age-limits 21—23 or 22—24 years, followed by one year's probation)?—My general impression is that recruits who arrive in India at the age of 25 or over are less adaptable and less keen than those who were recruited under the old rules.

40679 (18). What is the most suitable age at which junior civilians should arrive in India?—For reasons of health it is immaterial whether a junior civilian is 23 or 25 years of age on arrival. But the character is more or less set at the higher age and this is a disadvantage, as it is desirable that a recruit should not be too old to resent being taught his work or to imbibe fresh ideas.

40680 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well educated young man of the period?—The principle is sound.

40681 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 & 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions]?—No formal alteration in the schedule appears to be necessary. Section 3 of the Act of 1861 read with Section 6 of the Act of 1870 (and the rules made under that section in 1910) sufficiently provides for the appointment of Natives of India to scheduled posts. The retention of the schedule in no way prevents the wider employment of Indians in such posts, while its withdrawal would be resented by members of the Indian Civil Service.

40682 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—It is generally admitted that the administration of India must be conducted on British lines, and that in the higher posts the British element must preponderate, but any formal prescription of a minimum proportion is undesirable. Apart from the fact that it would be necessary to fix a separate proportion for each province, the formal prescription of any minimum would limit undesirably the privilege now enjoyed by Indians of admission to the Indian Civil Service without restriction of numbers. The principles enunciated by the Government of India in 1893 still hold good, and there appears to be no reason to depart from the conclusion then arrived at that at least five-sixths of the cadre posts should be held by officers (European and Indian) recruited by open competition in England. This at best is a purely arbitrary proposal and mainly useful as a rough guide for fixing the number of listed posts.

40683 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the India Civil Service Act, 1861 (24 & 25 Vict., c. 54)? Do you recommend any alterations in this system, and if so, what?—The system is satisfactory in principle. In replies to other questions some suggestions have been made with the object of rendering listed posts more attractive.

40684 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—I do not consider that the system should be revived. If this were done it would be necessary to abolish or reduce the number of listed posts, and the effect of this on the Provincial Civil Service would be disastrous.

40685 (29). What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your Province? Please distinguish in your reply between (*a*) military officers, and (*b*) others; and give details of the latter?—During my service in Assam and Eastern Bengal and Assam (1891—1912) I had many opportunities of becoming acquainted with the work of military officers appointed to fill Indian Civil Service posts.

40686 (31). If the system of recruiting military officers in India has been stopped, or has never existed in your Province, would you advise its reintroduction or introduction, as the case may be, and if the system should be introduced or reintroduced, to what extent should it be adopted?—I do not advise its reintroduction into this province.

40687 (37). Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(*a*) to the members of the Provincial Civil Service; and (*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?—This is discussed in the reply to question (20) of the questions relating to the Provincial Civil Service.

40688 (38). Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—The class of such posts is suitable.

40689 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—Such a course is desirable and should I think be continued.

40690 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—One year.

40691 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—Yes.

40692 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—Yes. £150 *per annum* and a free first-class passage to India.

40693 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—I am not in favour of a separate institution.

40694 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—Yes.

40695 (51). Please examine the statement printed as Appendix VI to these questions showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you?—The courses of study are generally appropriate but the law course might with advantage be enlarged.

40696 (52). In particular, please state your opinion as to the desirability during the period of probation of (*i*) compulsory attendance at Law Courts in England and reporting of cases; (*ii*) the teaching of Indian Law in addition to the general principles of jurisprudence; (*iii*) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (*iv*) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts?—I am in favour of (*i*), (*ii*), (*iii*) and (*iv*) (*a*) but not of (*iv*) (*b*) and (*iv*) (*c*).

40697 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—In England.

40698 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—I am not in favour of the proposal.

40699 (55). What is your opinion of a proposal that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—I am not in favour of the proposal.

40700 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No differentiation is necessary.

40701 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—The present arrangements are on the whole satisfactory.

40702 (61). Is the existing system of departmental examinations suitable, and if not, what change do you recommend?—The system is suitable.

40703 (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals?—No differentiation is desirable.

40704 (72). The present theory underlying the conditions of service in the Indian Civil Service is that—(*a*) the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—The system is suitable and no change in the period of training is recommended. If the age of recruitment were slightly lowered no alteration in the system would be necessary.

40705 (73). It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior posts," and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?—The arrangement is suitable.

40706 (92). Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—Rates of pay have, for the most part, remained stationary for a very long time, the purchasing power of the rupee has fallen, and in other services revisions of pay have taken place. The grant of exchange compensation allowance in 1893 provided only a partial remedy, and the general feeling of dissatisfaction which exists might reasonably be met by an enhancement of rates commensurate with the rise in prices during the past twenty years, not only that recruitment might be improved but also that

members of the Service might be enabled to maintain a suitable position. This might be effected by an all-round increase in the pay of the grades, if the graded system be retained, or if a time-scale be introduced by the adoption of a scale of increments which would raise the general pitch of the rates.

40707 (93). If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts or to both?—The general feeling is that an all-round increase of rates is justified.

40708 (94). Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your Province, and if so, what?—Although it has never been admitted that equal rates of pay for similar kinds of work in different provinces should be given, there has always been a decided tendency towards uniformity. Theoretically, local conditions should, to some extent, determine rates of pay, but from the broad point of view that the service is an Imperial Service and that recruits for all provinces are obtained in the same manner, any violent variations are undesirable.

40709 (95). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—The Secretary of State has already accepted the recommendation made by Lord Inchcape's Committee that the allowance should be abolished, the scale of salaries being revised so that complete compensation for the loss of the allowance should be given. The change would benefit Indian members of the service who are not at present eligible for the allowance and would, in the form of increased leave allowances, benefit all members. But this would, no doubt, be taken into account in revising the scale of pay. The change would be made for simplicity and is desirable.

40710 (96). If abolition is recommended, with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?—Lord Inchcape's Committee recommended, and the recommendation was accepted by the Secretary of State, that in revising the scale of salaries consequent on the abolition of the allowance no distinction should be made between European and Indian members of the Service. Any such distinction is to be deprecated.

40711 (97). How does the system of acting allowances work in the case of officers selected to officiate in appointments involving increased responsibility? Is it productive of any inconvenience and have you any suggestion to make on the subject?—The rules regulating the calculation of acting allowances are contained in Chapter VI, section I of the Civil Service Regulations. Although the rules work somewhat unequally it would be difficult to devise anything better if the graded system be retained.

40712 (99). What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service or not?—I strongly recommend that a time-scale be substituted for the present graded system. The advantages of a time-scale are well known. The element of chance is eliminated as each officer can calculate with certainty the exact amount of pay which, subject always to approved work, he will receive as a minimum during each year of his service. Inequalities of promotion in different years and in different provinces are removed and the importance of this can scarcely be exaggerated. A block in promotion gives rise to justifiable complaints which can only be met by the unsatisfactory device of personal allowances but which if not met are liable to prejudice recruitment. In the next place, excessive recruitment in any year or period of years cannot, as at present, result in a block in promotion. The pay of each officer is personal, dependent only upon length of service and good work. He is no longer, save in regard to higher appointments, dependent upon the movements of others, and the unhealthy interest now taken by junior officers in the intentions of their seniors would disappear. Finally, it would be possible to give absolute effect to the accepted principle that the monthly pay of an officer who had completed eight years' service should not be less than Rs. 1,000. There is no reason to suppose that a time-scale would in any way weaken the incentive to good work, as the Local Government would be authorized to stop increments in the case of an officer whose work was unsatisfactory. But any such danger would certainly be removed if special appointments were kept outside the scale and if the scale itself were so regulated that allowances could be attached to district and sub-divisional charges. Leaving out of account any question of an all-round enhancement of rates of pay such as has already been suggested, the main features of a time-scale suitable for the Indian Civil Service may be summarized as follows:—(*a*) An initial pay of Rs. 425 would be fixed. This would include exchange compensation allowance. (*b*) Annual increments during the first eight years of service would be granted subject to the condition that failure to pass departmental examinations would entail the temporary stoppage of increments. (*c*) Annual increments (not necessarily the same as those given during the first eight years) would be granted from the 9th till the 20th, 21st or 22nd year of service. The exact range of the scale could not be determined until details had been worked out. (*d*) Fixed rates of pay would be attached to a number of special appointments which would be outside the time-scale,

e.g.:—Member of the Board of Revenue; Chief Secretary to Government; Commissioners of Divisions; First Grade Judges; Inspector-General of Police. (*e*) To officers still on the time-scale appointed to officiate in any of these special appointments a fixed allowance irrespective of the pay of the officiating officer would be given. (*f*) In addition fixed allowances would be given to officers on the time-scale holding certain posts. The following scale is illustrative only:—

Post.	Charge allowance.
	Rs.
Sub-Divisional Officer . .	50
Under Secretary to Government	200
District Officer . . .	250
District Judges . . .	400
Secretary to Board of Revenue .	450
Heads of Departments . .	250—500
Secretary to Government . .	500

Before definite proposals could be formulated it would be necessary to subject any time-scale and scale of allowances to various tests. The total expenditure would have to be calculated and the effect on individuals examined.

40713 (100). As an alternative do you recommend a system by which each main class of appointment would have a separate time-scale?—The scheme outlined in the answer to the last question covers this.

40714 (101). What is your experience of the practical working of time-scales of pay in other Indian services?—Time-scales are in force in the Foreign Department, in the Forest Service (Imperial and Provincial), in the Indian Educational Service, in the Public Works Department and in the Medical Department (Assistant Surgeons). The system, it is understood, works well.

40715 (102). If you recommend any system of time-scale of pay, please describe it, and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances, and other matters of importance. How do you propose to apply such time-scale in Provinces where the scale of pay of the judicial and executive branches of the service is different?—Answered under question (99). The fact that a number of officers are employed in judicial work does not appear to be any reason why a time-scale should not be introduced if appropriate allowances were attached to District Judgeships and if a limited number of Judgeships were kept outsite the time-scale.

40716 (103). If you are in favour of a time-scale of pay, how would you secure that the recruitment of junior officers is restricted to the number likely to be promoted in a reasonable time to posts of independent responsibility, and do you or do you not consider it desirable that all members of the Indian Civil Service should have the prospect of rising to such posts within a fixed time?—It is certainly desirable that members of the Indian Civil Service should be promoted within a reasonable time to posts of independent resonsibility, but the substitution of a time-scale for the graded system would not prevent this, as the number of such posts would remain the same under either system and the number of recruits would as at present be calculated on probable casualties. If that calculation were inaccurate the error would to some extent be rectified under a time-scale, as even if an officer did not hold charge of a district within a reasonable time his pay would still increase automatically.

40717 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?—There is only one Statutory Civilian in the province and the rule (Article 566, Civil Service Regulations) under which he draws 64 per cent. of the pay which would be drawn if the office were held by a member of the Indian Civil Service is suitable. Theoretically the same principle is sound in the case of a member of the Provincial Civil Service holding a listed post, but as such an officer has to work his way through the grades he cannot, unless selected fairly early in his service, hope to reach the highest rates of pay fixed for listed posts. It is for every reason desirable that a member of the Provincial Civil Service selected to hold a listed post should have a reasonable prospect of drawing towards the end of his service approximately two-thirds of the pay drawn by a member of the Indian Civil Service in the general line of equal service. If a time-scale were introduced for the Indian Civil Service this result might be secured by allowing the selected officer to draw on appointment sixty per cent. of the pay drawn by a member of the Indian Civil Service of equal service, annual increments and allowances being drawn in the same proportion.

40718 (109). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—Furlough allowance is under Article 314 of the Civil Service Regulations fixed at half the average salary (as defined in Article 16) of the officer with a maximum and minimum. It is undoubtedly the case that these allowances, if not supplemented by savings, are often insufficient to cover expenses incurred during furlough. This is largely due to an increase in the cost of living and the difficulty would be met if a general increase in the rates of pay, suggested in the answer to question (92), were sanctioned.

40719 (110). Do you recommend any change in the concession, granted in 1893, under which leave allowances expressed in rupees, other than privilege leave allowances, issued at the Home Treasury, or in a colony with a gold standard of currency, are issued in sterling at the privilege rate of exchange of 1*s.* 6*d.* the rupee? If so, what change?—This question was considered by Lord Inchcape's Committee which proposed no change

in the existing rule. No change is recommended.

40720 (111). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative rates fixed in sterling and in rupees, and if so, what change?—The minimum is suitable but some increase in the maximum would be keenly appreciated by members of the Service. In the latter years of service the leave allowance of £1,000 (with deductions) is considerably less than half salary, and expenses on leave are much greater than after retirement. A maximum of £1,250 would be suitable.

40721 (112). Have you any recommendation to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—The present conditions are generally suitable.

40722 (113). Generally speaking do any of the present leave rules applicable to the Indian Civil Service cause inconvenience to the Administration, and if so, what, and what remedy do you suggest?—Local Governments have recently been addressed by the Government of India on the subject of the simplification of the leave rules and the redraft of the leave chapter of the Civil Service Regulations has been circulated for opinion. By removing certain restrictions regarding the grant and combination of leave and by making the grant of leave primarily dependent upon the interests of Government, the revised rules would be more elastic and would probably result in increased administrative efficiency, as excessive transfers would be avoided. So far as members of the Service are concerned, the removal of the restrictions as to the intervals at which leave may be taken and as to the combination of leave would be welcomed.

40723 (116). Do the present leave rules applicable to Statutory Civilians, or to officers of the Provincial Civil Services employed in listed posts, cause any inconvenience to the Administration, or press hardly on the officers themselves, and in what respects? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—No inconvenience is experienced. Having regard to the fact that the two services are recruited from different sources a distinction is not inequitable.

40724 (118). Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—Apart from the question of annuity deductions and the amount of pension, the present system of equal annuities to all members of the Indian Civil Service is generally accepted as satisfactory.

40725 (119). Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—The comparative merits of the present system and of a non-contributory system of superannuation pension must depend entirely upon the maximum fixed. If the general provision of Article 474, Civil Service Regulations, were applied to the Indian Civil Service, an officer who retired after 25 years of completed service as a first grade Magistrate and Collector would have earned a monthly pension of thirty-sixtieths of Rs. 2,250, and this converted at the privileged rate of 1*s.* 9*d.* (which Lord Inchcape's Committee did not propose to alter in the case of other services) would be equivalent to a sterling pension of £1,181 *per annum.* But as, *ex hypothesi,* deductions would no longer be made, the annuity value of the aggregate contributions now paid must be taken into account. In the earlier correspondence on the subject mention is made of £500 and £400 as the portion of the pension contributed by the officer, but this includes contributions made by those who die before retirement and of those who serve for more than 25 years. The annuity value of the contributions levied from an officer whose total service amounted to 26 years, of which 21 years are active service, is much less than this and lies between £100 and £150. If, therefore, the present maximum of £1,000 were retained, a non-contributory system of superannuation pensions would be welcomed by members of the Service, and having regard to the pensions earned in other services this maximum is not unreasonable. It is suggested, therefore, that the contributory system should be abolished and that members of the service should be admitted to the benefits of the General Provident Fund, contributions being limited to four per cent. of salary. These contributions, which would accumulate at compound interest, would stand at the credit of the subscriber and would be available for payment to the subscriber or his heirs at retirement or death and available for withdrawal in special cases. Officers whose service exceeds 25 years would thus reap the benefit of their own subscriptions, while the payments made by an officer who died before retirement would not be lost to his heirs.

40726 (120). Assuming the maintenance of the annuity system, do you suggest any modifications in its detailed working, and, if so, what, and for what reasons?—If the annuity system be retained it would be desirable that an actuarial examination of the whole position should be made in order that it might be ascertained what portion of the annuity is contributed under the present system by Government and what portion by the officer. When the former amount is known it should be compared with the amount of superannuation pension earned under a non-contributory system in other European services and if necessary raised.

40727 (122). Do you consider that a similar system should be applied to the cases of high executive officers, and if so, to which?

Please state the amount of pension and the conditions which you recommend as suitable?—The objection to the grant of special pension to holders of high offices is that senior officers would be induced to remain in service with the result that promotion would be retarded. An exception might, however, be made in the case of a Lieutenant-Governor whose expenses are exceptionally high and whose pay (Rs. 1,00,000 *per annum*) bears such a marked contrast to an annuity of £1,000. An additional pension of £100 for each completed year of service as Lieutenant-Governor would not be an unreasonable concession.

40728 (124). Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—The proposal made by the Government of India in paragraph 2 of their Despatch No. 20, dated the 19th September 1912, to the Secretary of State, that in such cases the scale laid down in the case of officers who are forced to retire on account of ill-health should be adopted as a standard is suitable.

40729 (125). Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?—The rules regulating retirement are suitable.

40730 (127). Do you approve of the present system regulating the pensions of Statutory Civilians? If not, what do you suggest?—The present system seems suitable.

40731 (128). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed posts? If not, what do you suggest?—The present system under which a member of the Provincial Civil Service holding a listed post cannot earn a pension of more than Rs. 5,000 *per annum* is unsuitable. A selected officer holding a prize appointment of this kind should at least be allowed either to earn a maximum pension of Rs. 6,000 or should be eligible for an additional pension of Rs. 1,000 a year under Article 475. I would, indeed, in view of the great importance of increasing the attractions of these posts and so improving the conditions of the Provincial Civil Service, to which they are attached, raise the maximum to Rs. 7,500.

40732 (129). Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?—The regulations and working of the Fund are satisfactory.

40733 (130). In particular do you approve of the exclusion from their benefits of "Natives of India," who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?—There is no objection in principle to the admission of Indian members, and it is desirable that in this respect no distinction should be drawn between European and Indian members. But as payments are calculated on the vital statistics of European members, it may be that the admission of any considerable number of Indians would have the effect of altering those payments. Admission should therefore be coupled with the condition that if after a period of years this was found to be the case, differential rates would be imposed. This would necessitate the maintenance of separate accounts, but this would present little difficulty.

40734 (131). Do you recommend that such admission should be optional or compulsory?—On the whole it would be preferable that admission should be optional, the option to be exercised at the time of signing the covenant.

40735 (134). Have you any criticisms to make on the facilities at present offered (*a*) to statutory civilians; (*b*) to members of the Provincial Civil Services holding listed posts; for providing for their families against their decease?—These officers are entitled to subscribe to the General Provident Fund and no further facilities appear to be required.

Written answers relating to the Provincial Civil Service.

NOTE.—These answers relate to the Executive Branch only.

40736 (1). Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The conditions are suitable.

40737 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—The present system of appointment by nomination is not, I believe, popular and I see no danger in modifying the system so as to provide that of the vacancies available any proportion up to one-third should be filled by promotions from the Subordinate Executive Service, up to one-third by nomination, and up to one-third by selection by examination from among candidates nominated by Commissioners, District Officers and Heads of Departments. Under such a system it would be possible to secure the representation of all interests and there is

no reason to suppose that there would be any deterioration in the standard of recruitment.

40738 (8). Are all clases and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—Such representation is highly desirable. The present system of pure nomination fully secures this object, but the modified system outlined in the answer to question (6) would not prejudice the representation of backward classes.

40739 (17). Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—The present system under which promotion up to a certain stage is governed by seniority and thereafter by selection is suitable. It is desirable that Government should be able to retire compulsorily an inefficient officer, but this is not so necessary as in the case of the Indian Civil Service.

40740 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—The system is satisfactory, but selection for such posts should be made earlier than has been the case in the past and ordinarily after an officer had served about 12 years. He would then be 35 or 37 years of age, and if "of proved merit and ability" should be of sufficient age and experience to hold charge of a superior appointment.

40741 (20). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—On the whole I think the balance of advantage is in favour of specially listing inferior posts and not merging them in the cadre of the Provincial Civil Service, although it must be admitted that there is much to be said on both sides. It is true that Deputy Magistrates do much the same work as Joint Magistrates both at subdivisions and at headquarters, and it might be invidious to select a very junior officer to hold an inferior listed post the duties of which in no way differed from those performed by a member of the Provincial Civil Service. But by merging the listed posts in the cadre the benefit of the concession is to some extent lost, and some doubt must exist as to the total number of posts listed. Apart from the fact that selected officers would appreciate the distinction of being styled Joint Magistrate, there would be some advantage in appointing really promising officers to these posts early in their service. They would draw increased pay and would in reality be on trial for higher posts. The objection to the listing of inferior posts specifically is that the field of selection for higher posts might be narrowed and that members of the Provincial Civil Service who were not selected early in service for listed posts might become discouraged.

40742 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—The principle is suitable.

40743 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—I do not think that the conditions of service are sufficiently attractive to secure the best recruits and, having regard to the important work done by the Provincial Civil Service and to the not unreasonable dissatisfaction which now exists among its members, I consider the improvement of pay and prospects to be an urgent and necessary measure. Proposals to secure these objects are made in the answer to question (25).

40744 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—The introduction of the system of officiating grade promotions is not recommended. But some improvement is necessary in the conditions of service. Apart from the fact that since rates of pay were fixed the cost of living has increased, promotion is extremely slow, and to enable an officer to earn the full pension it is frequently necessary that he should be granted extensions of service. If recruitment is to be improved, and if the Provincial Civil Service is to occupy the same relative position to other Provincial Services as the Indian Civil Service does to other European Services, pay and prospects should be improved, although it is recognized that the expenditure involved would be considerable. Revision might be effected either by the adoption of more favourable grading and the addition of a grade on higher pay or by the introduction of a suitable time-scale.

40745 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service, or not?—I strongly recommend the introduction of a time-scale of salary. The well-known advantages of such a system have been referred to in the answer to question (99) of the Indian Civil Service series. But as it is necessary to draw a clear line of division below which promotion would be governed almost entirely by seniority and above which promotion would be given entirely by merit, the partial introduction only of the system is recommended. The conditions of service ought at least to be as favourable as

those of the Provincial Forest Service, and revision might suitably follow the lines adopted in the case of that service in 1910. Taking Rs. 650 as the pay to which an officer (whose work and conduct was satisfactory, but whose merit was not conspicuous) should rise in his sixteenth year, the scale in force in the Provincial Forest Service would be appropriate. The initial pay would, as at present, after probation be fixed at Rs. 250, and this would be increased by annual increments of Rs. 20 until his sixteenth year of service an officer would draw Rs. 550. These increments would be liable to stoppage for unsatisfactory work or conduct. Thereafter promotion would be by selection only, and in regard to higher appointments two courses are open—the first to throw a certain percentage of the total number of appointments into fixed grades of Rs. 650, 750, 850 and 950, and the second to extend a modified time-scale to selected officers, permitting them to draw for stated periods pay at higher rates. The former course is perhaps preferable, but it is essential if that course be adopted that a reasonable percentage of posts should be thrown into the higher grades. The main cause of slow promotion and consequent dissatisfaction in the Service is that, taking the provinces as a whole, only 11 per cent. of the number of appointments fall into the three highest grades. This is inadequate, and it is doubtful whether the legitimate requirements of the Service would be met if the percentage were less than 15. This in the case of Bihar and Orissa would be equivalent to 33 appointments which might be graded as follows:—

1st grade, Rs. 950 . . .	3
2nd grade, Rs. 850 . . .	6
3rd grade, Rs. 750 . . .	9
4th grade, Rs. 650 . . .	15
	33

A further concession recommended is that an officer holding charge of a subdivision (including a *sadr* sub-division) should be granted a monthly allowance of Rs. 30. The annual cost of revision on these lines would be in the neighbourhood of 2 lakhs. But at the outset the annual cost would probably be higher. The average monthly pay would be increased from Rs. 377 to Rs. 446.

40746 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—The proportion is suitable, but it is desirable that appointments to listed posts should ordinarily be made when officers have served not more than 12 years. If a time-scale be adopted for the Indian Civil Service, it would be also necessary to place an officer holding a listed post on a time-scale. A fair arrangement would be to fix the pay at 60 per cent. of the pay drawn by a member of the Indian Civil Service of the same service and to grant increments and charge allowances in the same proportion. Sixty per cent. and not two-thirds is suggested after taking into account exchange compensation allowance and annuity deductions.

40747 (34). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—The rates are suitable.

40748 (35). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?—The limits now fixed by Articles 341 and 342, Civil Service Regulations, are suitable. If the reorganization suggested in the answer to question (26) were effected, members of the Provincial Civil Service would necessarily be entitled to higher leave allowances than at present.

40749 (36). Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—A redraft of section VI of Chapter XI (general conditions of leave—combination, extension and commutation of leave), of Chapter XII (short leave) which apply to all Services has recently been circulated for opinion. The alterations recommended by the Government of India appear to be generally suitable.

40750 (37). Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the Administration, and, if so, what; and what remedy do you suggest?—No inconvenience is caused.

40751 (38). In particular, are they a contributory cause of excessive transfers of officers, and, if so, how can this difficulty be met?—The present rules do not lead to excessive transfers.

40752 (39). Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—A reference from the Government of India on the subject of the modification of Chapter XIV of the Civil Service Regulations has recently been circulated for opinion. If effect be given to the proposals which have been made, any grievances which now exist regarding the grant of medical leave, ordinary furlough and special leave, would be removed.

40753 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—The present system is satisfactory.

40754 (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision

for their subsistence? If so, what do you suggest?—The provisions of Article 353, which limits the allowance to two-thirds of the pension admissible if the officer had retired on medical certificate, are suitable.

40755 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—Already answered under question (128) of the questions relating to the Indian Civil Service.

40756 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—The existing rules are suitable.

40757 (45). To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially recognised funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—Out of a total of 222, ninety members of the Provincial Civil Service subscribe to the General Provident Fund as follows:—

At the rate of 12½ per cent. . .	43
At the rate of 9⅜ per cent. . . .	5
At the rate of 7 per cent. . . .	1
At the rate of 6¼ per cent. . . .	41
	90

The facilities offered are sufficient.

MR. L. J. KERSHAW called and examined.

40758. (*Chairman.*) You are a member of the Indian Civil Service of 22 years' standing and are now Financial and Municipal Secretary to the Local Government?—Yes.

40759. How long have you held that position?—In this province a year, and previously in Eastern Bengal since the beginning of 1906.

40760. You think that the present system of open competition yields, on the whole, good results, and you think the reason for any deterioration in the standard of recruitment which may have occurred is due to a falling off in the attractiveness of the conditions of the Service?—Yes.

40761. I take it, therefore, you consider that improvements in the conditions of the Service would be the best means of remedying whatever evil may exist in that direction?—Yes; if it is proved that the Service is less popular than it used to be.

40762. But you are not at present prepared to accept the belief that the Service is less popular than it used to be?—I am only prepared to give an opinion that it is less popular. The opinion at home is more important, probably, than the opinion in this country.

40763. You admit that Indian youths are handicapped under the existing rules of the system of recruitment?—Yes.

40764. But you would reject any sort of simultaneous examination or separate examination, and you would rather improve the pay and prospects of the Provincial Civil Service and increase, if necessary, the number of listed posts?—Yes.

40765. You are not prepared for any form of prescription of a minimum number of appointments for Europeans?—No, mainly because any proportion would not hold good over the whole country.

40766. Could you tell us in what respects your proposals in regard to recruitment constitute an advance upon the present position?—In only one respect, namely, that the recruit would arrive in India earlier. At present the age is 25 to 26. If the age were slightly lowered, he would arrive in India at 23. I think there might be some advantage in that.

40767. Do you think that that earlier age would deter Indians in any way from going to England?—I do not think so. We do not go back to the 17 to 19 scale.

40768. Are you aware of, and impressed with, the demands which have been made by the educated classes for increased opportunities?—Yes.

40769. Do you not think there is a political aspect to this problem as well as the administrative one of efficiency?—Most certainly.

40770. Would not your objection to pure competition as a means of selection to important posts in India be met by some system of competition amongst nominated candidates?—I do not like that system. I prefer to develop the listed posts system.

40771. Would not any increase in the number of listed posts tend to create difficulties for the existing members of the Civil Service?—I think that in each Province the time has come to consider, taking each superior appointment separately, whether it ought to be listed or not, on the merits of each post, and the result would certainly be that the proportion of the total cadre posts would vary in each province. That is necessary.

40772. How would you protect any vested interests which the Civil Service might have?—By the mere fact of seeing whether the post could be listed or not, *i.e.*, whether it could be held by an average, not a picked, Provincial Civil Service officer who was selected. Then there is no reason why it should be reserved, because the selection of that post is an admission that it can be held by an officer promoted from the Provincial Civil Service.

40773. We have had instances in other provinces of the difficulty in regard to what may be termed the vested interests of the Civil Service. If you increased the listed posts, and at the same time were desirous of avoiding any undue encroachment upon those vested interests, would you not run the risk of delaying your promotion to listed posts unduly?—Might you not have

to wait until such time as the posts which have been taken out of the Civil Service have been regularised ?—Quite so. They would have to be absorbed gradually. That is all subject to the essential condition that the British element must be maintained, and the British method of administration.

40774. Would not that very delay which would be entailed, this being the only means of increasing the number of Indians in the Service, be an additional source of complaint on the part of those who are asking for further facilities for admission ?—I think it would. But the complaint would disappear very shortly, because vacancies would arise as retirements take place. The additional posts which might be listed would be absorbed very rapidly.

40775. I will put to you another aspect which has been put to us. You would suggest that young men should be moved up with comparative rapidity into these superior posts ; that they should reach them at about 35 ?—Yes, that is, roughly speaking, after ten years' service.

40776. Do you see any danger in that scheme of causing discouragement and discontent among the rank and file of the Provincial Service, those who are left behind and have not the opportunity of attaining those posts ?—Yes. I have no doubt there would be individual discontent merely because someone else was selected to the post. But I think it would add to the attractions of the Service as a whole, not only to choose officers earlier, but also to improve the conditions of the Provincial Civil Service. I think the two things must go together, otherwise you do not widen the field of recruitment for the Provincial Civil Service. I think the first thing to be done is to improve the Provincial Civil Service in order that you may have a better field of recruitment for the listed posts.

40777. Would the reaching of superior posts at the age of 35 give the officer time before his term of service expired to move up to the higher posts ?—The proposal I make is that he should be brought on to the time-scale of the Civil Service at a proportion of the pay of an officer of that Service of equal standing, and then he would automatically rise. At present it is very difficult for a listed-post officer to rise to the first grade if he is selected late in his service.

40778. You start him at the bottom of the Civil Service ?—He now stands at the bottom of the third grade. If he were transferred to a time-scale, after being selected at ten years' service he would draw two-thirds, or whatever the proportion might be, of the pay drawn by the Indian Civilian of that standing. If he was selected at twelve years, he would draw the pay drawn by a twelve years' officer. Therefore he must automatically rise to the top.

40779. When he has been incorporated into the Indian Civil Service, do you propose to pay him the Civil Service salary, or keep him at two-thirds ?—Keep him at two-thirds.

40780. You really think that, as a form of additional recruitment, that will satisfy public opinion in India ?—I doubt it extremely. I think it is a fair solution of the difficulty ; but I think, probably, it would not satisfy the demands which would be made.

40781. You think that eight years should elapse before an officer should attain to a superior post under the present age : that would make him thirty-three, would it not ?—Yes.

40782. We have had a good deal of evidence in favour of getting officers into more or less permanent charge of a district at the age of thirty. Do you agree with that view ?—I see no reason why they should not be in charge of districts at thirty.

40783. Do you regard it as an important advantage that an officer should attain a permanent position at thirty ?—It all works in together : the age at which he arrives, the age at which he gets his district, and the age at which he retires.

40784. It is an important improvement, is it not ?—Yes. I may say that I think it would be a little over thirty, even if he came out at twenty-three ; perhaps it would be about thirty-one.

40785. You are in favour of a time-scale ?—Yes.

40786. As I understand, your view is that you would let an officer's salary go on increasing ?—Yes.

40787. Whether he was fit for a superior charge or not ?—By no means.

40788. I cannot have read your answer to question (99) correctly. Perhaps you would explain briefly exactly what that system is with regard to a time-scale ?—Perhaps I could explain it best by taking our own cadre. We have in this province 109 cadre posts, and if these proposals which I have roughly outlined were applied, 94 of those posts would be time-scale posts, and 15 would be selection posts. I leave out of account the question of the enhancement of rates. It is quite a different question. Assuming that the cost of the time-scale will be the same as the cost of the graded system, the problem then is to arrange the 94 posts on a time-scale starting with an initial pay of Rs. 425, and going up to, say, 22 years' service, with the allowances which I propose for District charges and so forth, without causing any increase in cost. I find on a rough calculation that a Rs. 85 increment would produce that result. I would rather not commit myself to that figure. It is a very rough calculation, Rs. 85 increase per month per year. The scale might be varied by having a larger or a smaller increment in the first few years of service, and a different increment for the remainder of service. Each officer would draw the pay of his year. If he held charge of a District, or Sub-Division, or a Judgeship, or any specified appointment, he would draw an allowance. If after being given a trial he were declared to be unfit to

hold charge of a District, his increments would be stopped, and he would continue on the same rate of pay as at present.

40789. He would neither get the increase nor the automatic increment ?—He would get nothing more. The alternative would be to retire the officer compulsorily. That would be the extreme step. I propose that the scale should run up to twenty-two years of service, merely to continue the existing conditions. At present, once an officer is declared fit to hold charge of a District he goes through the grades automatically. There is no question of selection until the time comes to decide whether he is fit to be a Commissioner or not. I think for many reasons it would be undesirable to introduce any new method of selection. Selection is now exercised at two periods of a man's service : first, when the time comes to hold a District charge, and, secondly, when the time comes to hold a Division. I would continue existing conditions, and allow a man to run up on a time-scale to about twenty-two years of service. That would cost no more than at present. The precedent for this is in the Foreign Department, where there is a rule that if after a certain number of years' service an officer is definitely declared unfit to hold a definite charge his pay is limited at Rs. 850. A similar rule would solve the difficulty with regard to inefficient officers.

40790. We have had it suggested to us that no officer should draw more than Rs. 1,500 unless he held a superior charge ?—Is that proposal that above Rs. 1,500 there should be grades ?

40791. Yes. The time-scale would stop there ? —It is a new principle, to introduce any process of selection after an officer has been declared fit to hold a District, and Rs. 1,500 seems in any case much too high. I do not think that an officer would be entitled to Rs. 1,500 if he is not fit to hold charge of a District.

40792. Under this proposal there has been a selection process prior to Rs. 1,500 ?—I have said that I do not like any more selection than there is at present. I hope I have made it clear that between the District stage and the Commissioner stage there is no selection at present. The officer is entitled to run through the grades by seniority, leaving out of account cases of gross misconduct, which are dealt with separately. There is no selection, and if a time-scale stopped at Rs. 1,500, and then there were grades between that and the Commissionership stage, selection being introduced, I think it would be an entirely new principle.

40793. Your proposal is for an automatic increment under a time-scale, and allowances added to the pay of the officer ?—I propose these allowances because they must vary. I think the officer holding a District or Judgeship, and an officer holding an important Department, must necessarily draw different rates of pay.

40794. You allow Rs. 250 to a District Officer ?—Yes.

40795. Is that all the distinction you draw between the two officers, one of whom has been passed over and the other has been appointed ?—Yes. But in addition to the Rs. 250 allowance, the distinction is that one man's pay is stopped and the other man's pay is increasing every year.

40796. With the absence of promotion to the post comes the stoppage of the increment ?—Yes. The pay of the selected officer goes on automatically increasing.

40797. In answer to question (119) you say,—"The annuity value of the contributions levied from an officer whose total service amounted to 26 years, of which 21 years are active service, is much less than this and lies between £100 and £150." Could you tell us upon what you base this calculation ?—I got this calculation worked out in the accounts office. I have got it here. What is known as the assumed pay was taken. The assumed pay runs from Rs. 400 up to Rs. 2,500 in the twenty-sixth year of service. The object of taking a period of 26 years was that the whole of the five years' furlough might be included. The annuity contribution in each year was calculated and the amount was compounded at 4 per cent. : 25 years, 24 years and so forth. In this particular case the officer was supposed to be on furlough in the ninth and tenth years. There is no annuity contribution when the minimum furlough allowance is drawn. The final result was that he had accumulated £1,730 after 26 years' service ; and from some Insurance Tables we had, assuming that the officer was about fifty, he could purchase an annuity of £117.

40798. So that if your calculation is correct the State is already paying £800 or £900 a year of the pension, and the officer is paying only from £100 to £150 ?—That is rather a different point of view. This is a point of view of the individual who retires after 25 years. The point of view of the State is different because the State takes all contributions received from officers who die and also all contributions received from officers who extend their service beyond 25 years.

40799. But as regards the officer who retires at the end of 21 years' active service the State has contributed £800 or £900 a year as against his £100 or £150 on your calculation ?—Quite so. But it is hardly fair to take the individual case when the State obtains from other members of the same Service 4 per cent. from those who die, and 4 per cent. from those who extend.

40800. It shows the great disproportion of the contribution as between the officer of long service and the officer of short service ?—Yes.

40801. You ask for the abolition of the 4 per cent. deduction towards the pension and its devotion towards the General Provident Fund. Supposing the latter were proposed, would you agree to any deduction in the £1,000 pension ?—I think it would be a pity to disturb the £1,000 pension. It is a round sum which has an important influence on recruitment, and even though you might produce exactly the same

result by saying "we will give a pension of £850 with a compulsory Provident Fund," I think it might seriously affect recruitment.

40802. This alternative proposal would mean that, whereas at present you get £1,000 income every year, under the General Provident Fund you would have the option of having at your disposal on the expiration of your service, either an annuity to make up the £1,000; or else to use the capital for your own purposes?—I have mentioned that at the end of his service this officer would be given a pension of £1,000, and he would have at his credit £1,700 to do what he likes with.

40803. That is a great advantage?—Yes.

40804. Speaking broadly, in what order of urgency would you rank the various proposals you have made for the amelioration of the Indian Civil Service conditions, if it came to an alternative?—I should put the time-scale first; and, I think, the increase of the furlough allowance second; and probably the pension third. When I say a time-scale, of course that costs nothing. I mean an all-round enhancement of rates.

40805. You estimate that it will cost nothing?—Mere substitution would cost nothing. It is like a re-distribution of land revenue.

40806. You are prepared to agree to recruitment to the Provincial Civil Service by competition amongst nominated candidates?—Up to a certain proportion, one-third.

40807. Would you agree with a proposal which has been put to us by the Chief Commissioner of the Central Provinces and other witnesses to have the nomination made by a Board containing a non-official element?—It is an entirely new idea. I do not like to give an opinion upon it off-hand.

40808. The Board to consist of certain Government officials and certain non-official gentlemen?—I am afraid I have not thought that out.

40809. You lay stress upon the inadequate salaries of Provincial Civil Service officers?—Yes.

40810. With regard to your proposals in answer to question (26), are there no posts other than the sub-divisional officerships which carry markedly increased responsibilities without extra emoluments?—I do not think so, because there are allowances attached to special appointments, such as Land Acquisition officers and Assistant Settlement officers.

40811. In all instances they enjoy the additional emoluments?—The proposal covers *sadr* sub-divisions. It is rather important. The senior deputy at head-quarters should get an allowance as well as the sub-divisional officer.

40812. (*Sir Theodore Morison.*) I understand your time-scale, as you have given it to us, is only a distribution of existing pay?—Yes.

40813. There would be no increase of emoluments from the Service?—Quite so.

40814. You do suggest it would be desirable that there should be a rise in pay?—Yes.

40815. Can you give us any idea of the sort of thing which is in your mind on the same principle as the time-scale? If you worked out a time-scale to cost exactly the same as the present graded system, and if it were decided on separate grounds that a 10 or 20 per cent. all-round enhancement were necessary, you would only have to increase your rates by 10 or 20 per cent.

40816. What is the enhancement?—I am not prepared to support it by figures. I had in my mind 20 per cent.

40817. You have generally recommended an enhancement: I did not know what sort of figure you recommended. Would it be 20 per cent.?—Yes.

40818. Supposing your various recommendations are adopted, do you think [I am referring to your answer to question (110)] you would retain, or think it desirable to retain, the privilege rate of exchange at 1*s.* 6*d.* the rupee for furlough allowance?—Yes, the privilege rate went with the exchange compensation allowance.

40819. You have proposed that it should be merged in salary?—It should be continued.

40820. I do not follow that?—Leaving aside the question of the enhancement of rates altogether, if you keep the existing rates, merely substituting the time-scale, you merge the exchange compensation allowance into pay. That I do not think is any reason for withholding the privilege rate of furlough allowance.

40821. Why not? You get half of it back. It will come into your salary, and therefore it will be an element in calculating your furlough allowance. You would not recommend it?—I think there would be a ground for re-considering the rate of exchange.

40822. Not more than that?—I am not prepared to go further than that.

40823. How do you defend the pay of higher furlough allowances to people who take their furlough out of India? Do you think it is any longer defensible? Why should you pay a man more if he goes to England instead of staying in India? It practically comes to giving him 11½ per cent. more. Is there any reason for that now?—I think there would be strong reason for reducing it because it is removing an existing privilege.

40824. A privilege which may be merged?—The whole thing might be merged in an increase of pay; and that would carry with it increased allowances.

40825. There is another of these artificial rupees, the 1*s.* 9*d.* one, which I see you also retain. That is in your answer to question (119). If you were to apply the thirty-sixtieths to the Treasury rule, it would work out to something like the present annuity of £1,000 a year?—The first grade Magistrate has Rs. 2,250 a month. Half of that is Rs. 1,125. Converting that at 1*s.* 9*d.* the result is £1,181.

40826. From which you deduct £150 for his own contribution, leaving a net £1,000 annuity given by the State?—Yes: that is to say if these provisions were applied.

40827. Your calculation all turns upon a rupee which is worth 5*d.* more than the actual rupee?—Quite so. That is a privilege given to

all uncovenanted officers; and I hardly know why it should be withheld from one Service.

40828. That is a concession to uncovenanted servants because their Rs. 5,000 pension was recognised to be wholly inadequate; and an indirect way of doing it?—Yes.

40829. But it arose, surely, out of the fact that the Rs. 5,000 no longer represented the pension which many of them had expected?—That is so.

40830. The 1*s.* 9*d.* rupee surely was given to compensate people with very small pensions; and there is no justification, is there, in carrying it into the Civil Service when the question of increasing their pension has never been considered?—It is purely fictitious. We are considering regulations which do not apply to the Civil Service. In considering non-contributory pensions one must apply rules to see what the results will be.

40831. The existing rules do not apply. The 1*s.* 9*d.* rate does not apply to the Civil Service?—No, but I think it has been admitted that the 1*s.* 9*d.* rate should be continued in the case of all European Services.

40832. All uncovenanted Services?—All the services are now enjoying that privilege. They are all probably uncovenanted.

40833. Anyhow, it refers to people like the Education Department?—Yes, and that privilege is now continued.

40834. Do you think that they are given the privilege of the 1*s.* 9*d.* rupee or that their pension has been raised to something like £450?—I think it is compensation for the fall in the value of the rupee. The maximum of Rs. 5,000 a year was fixed at a time when the rupee was worth a good deal more than it is now. If we come under that rule, if our pension was calculated on the rupee basis, obviously the 1*s.* 9*d.* rate ought also to apply.

40835. As you remark, the compensation was given to them for the fall in the exchange which reduced the value of their pension. The Civil Service pensions were calculated in sterling?—That is why I proposed sterling rates should be continued: the round figure.

40836. I must say the additional 5*d.* seems to be a little difficult to justify. With regard to a question put to you by the Chairman, what would you say to a pension of £850 paid by the State *plus* your own contribution in the Provident Fund?—Probably in practice it would be an advantage; but I think it would be a pity to introduce it. It would be an advantage in this way, that an officer who served thirty years would still get his £850, and the value of his accumulated contributions would be worth possibly £300 or £400; and similarly in the case of an officer who died the widow would get it. Although that all makes to an advantage, I would not reduce £1,000. I would prefer to get it. There is a glamour about that £1,000 as a round sum.

40837. Did not the Treasury make some alterations recently in their thirty-sixtieths rule by which they pay a man a lump sum in addition to so much pension when he retires?—You mean an Indian Civilian: I did not know of that.

40838. (*Mr. Abdur Rahim.*) I should like to know what would be the means of judging whether the attractions of the Civil Service have, in fact, declined in any way?—I should say that possibly the evidence from two sources would be valuable. First, the evidence of the members of the Service who are called upon to decide in the case of their sons or advise their friends regarding their sons; and secondly, the evidence of possible recruits in England.

40839. Supposing the class of recruits we have been getting in the last five years are from the same class as those we have had before, would that be a good index showing whether these attractions to the Service had fallen off?—It would be very valuable evidence.

40840. And for that purpose you suggest that we must take evidence in England in order to come to a proper conclusion?—I think valuable evidence could be obtained in England from candidates about to appear from the head-masters of schools, and so forth.

40841. I suppose there will be another way of arriving at a proper conclusion on a question like this, to compare the attractions of the Indian Civil Service with those of other Services either in England or the Colonies?—Quite so. Such as the Home and the Colonial Civil Service. It is only hearsay, but I understand that the highest men in the list have chosen the Home Civil Service in preference to the Indian Civil Service. In my time it was the other way about.

40842. That would be some indication?—It might mean that the Home Civil Service has gained in attractiveness and not that the Indian Civil Service has lost in attractiveness. The relative positions may have changed.

40843. As regards the evidence upon that point, I think it is confined only to the last year or two: I do not think it goes very much further?—It has been very gradual. It is only what I have heard, that there is a distinct change now.

40844. As regards how much the State contributes towards the pension, I suppose it will not be difficult to arrive at a correct estimate if you take the history of the Service for twenty-five years and find out how much has been contributed?—It would be very easy to make the calculation. I suppose, on the one hand, you would take the total number of pensioners and on the other hand you would take the total annuity payments throughout the Service. I think it is desirable that a calculation of that kind should be made.

40845. It would be easy?—Extremely.

40846. (*Mr. Madge.*) You object to any recruitment for the Civil Service under different conditions?—Yes.

40847. In that case you would strongly object to recruitment from the Provincial Civil Service to the Indian Civil Service, which has been recommended by some experienced officers on the ground that in this country you have tried and

tested the men and know them, and that in the other case there is a leap in the dark. In spite of that you would object to it?—Yes.

40848. Everyone will agree with you about the great advantages of a preliminary period of residence in England; nevertheless there have been some very striking exceptions to this rule. Has it ever occurred to you to devise any method by which you could on the one hand attract this class of exceptional talent, and on the other provide a test of examination which would satisfy the public?—The only solution I have heard is a system of scholarships by which the State would send that person home to be educated.

40849. But there have been cases in which there is no reason to doubt that these men could have gone home if they chose: they were sufficiently well-off?—If the door is open and they do not choose to enter, there is nothing more to be done.

40850. You cannot provide attractions and draw them into the Public Service instead of following independent careers?—Under the existing rules they can up to the extent of one-fourth be selected for listed posts.

40851. I am not referring to any obstacles. I want to see if there is any way of providing attractions to draw them into the Service?—I think an improvement of the conditions in the Provincial Civil Service would have the effect. Whether it would attract the exceptional person or not, I do not know.

40852. You have never thought of providing any means by which that might be done: I am speaking of first class talent such as you hear of being drawn off to Native States sometimes?—I do not think one can fix the conditions of service to provide for the exceptional case.

40853. You have made reference to the line drawn between the inferior and superior appointments at the period of eight years' service. Will you correct me if I am wrong in thinking that this line is such a fanciful one (it reminds me of what you would call an average high tide which is of no use to any pilot of a particular vessel of a particular draught) that it is of no use in many cases because many officers have not risen to superior posts in spite of their eight years' service?—The advantage of the line would be that it is impossible to calculate the number of cadre posts for a given number of superior posts unless you have decided upon the line. You must decide upon a period of training.

40854. I want you to consider it from this point of view. You are in favour of a time-scale; but how far would a time-scale remove those individual cases of grievance which are arising because officers have not risen to superior posts?—That is one of the reasons for recommending it. You must adjust your increments properly. If you start at Rs. 425 and increase by Rs. 75 or Rs. 85, you would automatically reach the Rs. 1,000.

40855. That is one of your reasons for adhering to it?—Yes.

40856. You have referred to an individual case in which the State contributions on a person retiring would be larger than his own contributions, but as a rule all contributions are pooled and the average contribution of a Civilian is practically half of what he gets?—That I do not know. I do not think that anyone knows because the Fund has been abolished. The annuity contributions are now ordinary items of receipt. I believe I am right in saying that no separate account is kept of them.

40857. Has not a guess been made at the proportion? My reason for asking this question is that the prospect of getting this £1,000 is practically fictitious: that is to say that you contribute almost or quite as much as the State gives you?—That statement has been made.

40858. And from that point of view it is actually lower for the Civil Service than for some other services?—That statement has been made. It is only capable of proof by calculation.

40859. (*Mr. Fisher.*) In your answer to question (15) you suggest that candidates should go up for the Indian Civil Service Examination between the ages of 20 and 22. Why do you settle on those particular years?—It is really a compromise between the 17 to 19 period and the present period. I dislike the 17 to 19 period and I dislike the present period.

40860. Why do you dislike the 17 to 19 period?—I belong to that period myself.

40861. Why do you dislike it?—I think that the open competitive examination at that age takes so much out of a man that he is very much inclined to slack during the two years' probation.

40862. That was your experience and the experience of your friends?—I believe it was the case.

40863. Would there not be a difficulty if you put the age at 20 to 22; it would be between the school-leaving age and the University-leaving age?—Could not that be met by fixing the birthday date in the middle of the year?

40864. Would you not under your scheme be losing a certain number of promising public-school boys who leave school at 19 and could not afford to go to the University?—Unless they went, as they used to do, to crammers.

40865. Would you not put rather a premium upon boys going to crammers?—I do not think to anything like the extent as when the age-limits were 17 to 19. That was a direct invitation to go to crammers. The idea of putting it from 20 to 22 was that you would get men from the University.

40866. Would it not break up their career if, when they got to the University, they were confronted with the prospect of the Civil Service Examination half way through? Would it not be very costly?—If the subjects more or less covered the University course, I do not see why that objection should be made. I admit that the proposed age-limits are just on the border line. 23 would be more convenient. But why I object to 23 is because the officer comes out too

late. I think there is an advantage in getting the recruit to India at 23. It is a balance of advantages, but it is possibly more important than that extra six months or a year.

40867. Do you attach much importance to one year's probation: you advise one year's probation?—There, again, I think two years would be better. But I do not suggest that because it would add another year to the age of arrival. I think if the study of law and especially of reporting were concentrated into that one year, it would be very beneficial.

40868. It occurred to me on looking at your answer to question (52) that you were asking your probationer to undergo rather an ambitious course of study for a single year?—That assumes two years' probation. He could not do it in one year. If the probationary period were limited to one year, he would necessarily concentrate on law and the vernacular.

40869. You would attach a great deal of importance to a better knowledge of law?—Yes.

40870. That really points to a two years' probation instead of a one year's probation?—I admit that a two years' probation is better.

40871. In your answer to question (94) you say: "Theoretically, local conditions should, to some extent, determine rates of pay." Do you mean that the pay of a Collector, for instance, should be determined by the character of his district, the cost of living in it, and the climate?—I rather refer to the difference of conditions between one province and another.

40872. What sort of local conditions had you in your mind?—The expensiveness of living chiefly.

40873. Do you think it would be practicable to graduate?—I do not propose that it should be done. I think it would be a great mistake to do it. I think the rates ought to be uniform over the whole of India.

40874. In your answer to question (45) of the Provincial Civil Service series, you say that out of a total of 222, 90 members of the Provincial Civil Service subscribe to the General Provident Fund. Would you be in favour of making the subscription compulsory upon all members?—I am inclined to leave that to the Service. There may be reasons which we do not know about, which induce one man to subscribe and another not.

40875. It has been suggested to us that the matter should be made compulsory?—It is a matter I would leave to the Service.

40876. (*Mr. Chaubal.*) Supposing that the present age is reduced, and the reduced age is for any reason inconvenient to the Indian candidate appearing at the competitive examination in England, what would be the objections to permitting a slightly higher age in Indian candidates as compared with the age at which English candidates should appear?—I am not in favour of any differentiation in ages. I would rather keep the age uniform, even though it had to be raised to meet a difficulty of that kind.

40877. I want you to consider it from this point of view. Is it really differentiation? Supposing that 19 is the age at which to complete the University course for English boys, and supposing 20 is the earliest age at which an Indian boy can take his degree; then if you allow one year more to the Indian student you really only bring them on the same level?—That pre-supposes that the two courses are similar, that the Indian and English University courses are identical.

40878. That is another reason why the age should be put slightly higher, because after graduation from here a boy requires two years' study at home in order that he may be able to compete?—One strong reason for fixing the age is that it should be convenient for Indian boys to go home some time before the examination. The question of the Indian University age scarcely arises, does it?

40879. Is not the preliminary equipment required here an item for consideration?—That is the school training.

40880. The school training here I do not think is calculated to make matters easy, is it?—In the two cases the boys would start their work at the same age, and you would hardly make a differentiation at 16 or 17 when the examination age was 22 and 23.

40881. I quite see that if you say 21 or 22 for the Indian boy and 19 for the English boy there is no doubt a difference of age apparent; but if you take the conditions into consideration there might be reasons why, in order to bring the two candidates on the same level, you might permit a slightly higher age in the Indian boy than is desirable for an English boy?—I am afraid I am not in favour of that. I would keep the age the same.

40882. (*Sir Murray Hammick.*) In answer to question (28) regarding the Statutory Civilians, you say: "I do not consider that the system should be revived. If this were done, it would be necessary to abolish or reduce the number of listed posts, and the effect of this on the Provincial Civil Service would be disastrous." And then in answer to question (20) of the Provincial Civil Service questions, you say: "I think the balance of advantage is in favour of specially listing inferior posts and not merging them in the cadre of the Provincial Service, although it must be admitted that there is much to be said on both sides." If you recruited half the junior posts in the Provincial Service and put men into it on enlistment, would you not practically be reviving the Statutory Service?—I quite admit that the argument against a specifically listed inferior post is extremely strong. It is largely for sentimental reasons that I suggest they should be listed. I see the disadvantage.

40883. If you kept the listed posts as they stand, or even increased them as opportunity offered, but at the same time established this system which you suggest here in answer to question (22) of making a certain number of inferior posts available to Indians, and put them

practically into the Civil Service, in fact reviving the Statutory Service under a different name, do you not think that that might, perhaps, offer a solution which would be more acceptable to the Indian community than the mere increasing of the listed posts?—I take it that if an officer in an inferior post was found unsuitable for a superior post he would revert to the general line of the Provincial Civil Service. The field of recruitment would be the Provincial Service.

40884. He would be at once put into the junior listed posts of the Provincial Civil Service, and given the title belonging to those listed posts; and, if he proved successful in those posts, he would rise, in the ordinary course, to the higher posts?—Yes. I would not specifically recruit an officer for the listed posts. I think that would be hardly fair to the Provincial Civil Service. I would improve the conditions of the Provincial Civil Service. I would try to improve the field of recruitment, and widen it, and from among the early recruits select officers for the inferior posts.

40885. If you started a separate Service altogether, something on the lines of the old Statutory Service, do you not think it would be possible to get a different class in the Service than you get now in the Provincial Civil Service?—I do not think so.

40886. Do you not think in these provinces that there are a certain class of people who do not get into the Provincial Civil Service who might be got hold of for the superior Service?—I have only been in this province a year, and I am not entitled to speak upon that.

40887. You have experience of Bengal, I suppose?—Yes. Speaking generally, there are no doubt such persons. They can be appointed at present under the rules up to the proportion of one-fourth: they may be appointed to listed posts. I know that the rule has never been applied.

40888. Government has never used that power?—They have never used the rule, but it is always there.

40889. I suppose you never knew enough about the Statutory Service to form any opinion as to why it failed?—No: except what I have read in the Report of the last Commission.

40890. Do you not think that that Statutory Service to a great extent failed because proper care was not taken in the selection?—I believe that was one of the main reasons.

40891. Because it seems to me, reading your evidence closely, that you seem to find the solution in this very Service which you have condemned so strongly in your answer to question (8); and your answer to question (20) seems to suggest that that is the line upon which you would rather favour any concession that you made outside the Civil Service?—I would rather have an elastic system, such as the listed post system with selection, and falling back where necessary upon the one-quarter rule rather than bind myself to any statutory system by which you would be compelled to appoint so many officers each year. If it broke down before, it may break down again.

40892. At all events you think very possibly that opportunity which that one-fourth rule gives you may be used with great advantage?—I think if the opportunity offered it ought to be used.

40893. With regard to the scale which you have laid down in answer to Provincial Civil Service question (24), you no doubt remember that the Government of India years ago laid down an ideal scale for grading commonly known as the 'Barbour grading'?—That scale would apply to a service as a whole, but here we are dealing with a limited number of prize appointments, and we must take into account the age at which a man would be appointed to this Rs. 650 grade. These 33 posts would form quite a different Service from the Service to which you would put recruits at 25. We are really dealing with a selected number of posts.

40894. Your grading is on a different principle here?—Yes.

40895. You have reason to think that with this scale of yours you would produce a suitable attraction?—Yes; because it would possibly facilitate retirement. At present I believe that in very few cases a Provincial Service officer earns his full pension without getting an extension: it takes so long to get to the grade, half the pay of which produces the full pension.

40896. This scale of yours is made out with a view to prevent that?—Yes.

40897. To allow a man to get his full pension before he retires?—Yes.

40898. As regards what you have said to Mr. Fisher as to making the belonging to the Provident Fund optional, is it not the case in the Police that the belonging to the Provident Fund is compulsory on all members?—Yes.

40899. And the object of that, with regard to the Police, is to prevent what may almost be called the scandal of men dying in the service, and leaving widows and children absolutely unprovided for, without a sixpence?—Quite so.

40900. Would not that apply very much in the same way to the Provincial Service, though, of course, not to the same extent?—The conditions are different. In the one case you are dealing with a European Service and in the other you are not.

40901. It is compulsory to locally recruited Deputy Superintendents, is it not?—I do not know.

40902. At all events, you do not think it is necessary?—I would take opinions upon it from the Service, and if there was a very strong body of opinion I would make it compulsory.

40903. (*Mr. Maude.*) Have you ever heard of a strong opinion of one of the members of the Provincial Service in favour of doing away with the pension scheme and having a Provident Fund instituted?—No; I have never heard that

proposal. I should hardly think it would be to the advantage of the Service to have a Provident Fund and do away with pension.

40904. (*Mr. Hussain.*) In answer to question (26) of the Provincial Civil Service series you propose a time-scale of pay for the members of the Provincial Civil Service which would stop short at Rs. 550?—Yes.

40905. In answer to question (99) you say "There is no reason to suppose that a time-scale would in any way weaken the incentive to good work as the Local Government would be authorized to stop increments in the case of an officer whose work was unsatisfactory." Do you not think that that reservation would suffice to prevent idleness or incapacity even beyond the grade of Rs. 550?—No, I do not.

40906. Why not?—Because it is a different thing to select specifically for a grade and to stop the increment. If the time-scale ran up throughout the whole Service with no prize appointments beyond, the tendency would be that the increments would be given automatically. They would only be withheld in the case of misconduct or grossly bad work. But by separating off a reasonable number of prize appointments you provide an incentive to good work.

40907. Supposing you insisted that the reporting officers should be particularly careful in reporting after a certain grade, say Rs. 550, and that they should not stop increment unless they were thoroughly satisfied?—That is hardly feasible. You must have prize appointments at the top of every Service. I do not know that there is any time-scale without a number of posts.

40908. You do provide that in the shape of listed posts?—That is quite separate. These prize appointments would never be held by listed-post men.

40909. Members of the Provincial Service have a number of prize appointments, namely, listed posts: therefore you need not offer another prize?—I disagree. It is necessary to offer prize appointments in the Provincial Service.

40910. You want to make that the backbone of the Supplementary Civil Service: you want to offer greater attractions. Is this the way people will be attracted?—I think so.

40911. You make the case worse, do you not?—I think by raising the average pay of the Service from Rs. 377 to Rs. 446 you improve the attractions to the Service as a whole.

40912. There is a complaint as regards the block in promotion. We want remedies. Would one of the remedies you suggest be adequate to meet the situation?—Yes; I think it would meet it completely. With a time-scale a block in promotion is impossible, because up to a certain point every man gets his increment automatically.

40913. Even if you stop at Rs. 550?—Up to that point there cannot be a block.

40914. Supposing I were to ask you to trust the reporting officer after that point of promotion; at grade Rs. 550?—It is quite impossible to expect that for every member of the Service you should have a special report each year whether he should get his increment or not. It is quite impossible.

40915. As an alternative scheme you propose an increase of 11 to 15 per cent. in the higher grades?—Yes.

40916. You know that in the Provincial Judicial Service the percentage of the higher posts carrying pay of Rs. 600 and over is 29: and even then there is congestion, a block in promotion?—But are not those higher posts for a different kind of work? There are Subordinate Judges and Munsifs. We are dealing here with officers of the same class and doing the same work.

40917. In spite of the fact that there are 29 per cent. open for promotion in the Provincial Judicial Service, still there is a block in promotion: will therefore 15 per cent. relieve the block?—I think so.

40918. How can it do so?—It will certainly improve matters if you increase the higher posts from 11 per cent. to 15 per cent.; and if you raise the rates of pay it must improve the conditions.

40919. Will it improve them materially?—I think it will.

40920. At any rate, it will be beyond what the Provincial Judicial Service now is, because they have 29 per cent. of the higher grades. Would it not be better than what the Judicial Service now is?—You can hardly compare the two Services when you are dealing with Subordinate Judges and Munsifs. It is true there is a large percentage of the total cadre who are Subordinate Judges. In this case we are dealing with Deputy Magistrates throughout the grades.

40921. The principle of promotion is the same. Even selected Deputy Collectors rise to Rs. 600; so that the principle of selection is the same in both the Services. If the principle of selection fails to relieve the block in promotion, do you think your 15 per cent. is capable of relieving the block?—I think it would. I certainly thought when these proposals were prepared they would relieve the dissatisfaction which now exists.

40922. As regards the pay of the listed posts, you were asked whether the two-thirds system was satisfactory, and then you proposed a still further reduction to 60 per cent. May I ask you if that is the way to attract good men to the listed posts?—You are aware no doubt that the two-thirds rule does not hold good in the case of pay fixed for listed posts at present. The pay attached to listed posts, as a matter of fact, is not two-thirds.

40923. We are considering the question of the relative attractions we are offering. If two-thirds pay attracts a certain number, do you think 60 per cent. will increase or decrease the attraction?—The two-thirds is not given at present.

40924. The third grade Magistrate gets Rs. 1,000 ?—I think I am right in saying that in all cases two-thirds is not given. I do not attach much importance to 50 per cent. or 60 per cent. You start on the broad principle that when the work is done by that agency two-thirds is a fair proportion. That, I admit, is arguable. If you accept that proportion, you must accept these allowances for exchange compensation allowance. If you merge the exchange compensation allowance in pay, and if you admit that two-thirds of the original pay is suitable, then, obviously, less than two-thirds of the pay, which includes exchange compensation allowance, is fair.

40925. Do you not think that the arduous nature of the work justifies increasing the pay of two-thirds ?—If what I have proposed in the case of the Indian Civil Service, if anything in the nature of an all-round enhancement of rates is accepted; that would benefit the listed-post men as they would automatically come into the time-scale at 60 per cent. of the enhanced pay.

40926. As regards charge allowances, it has been suggested before this Commission that that for a Sub-Divisional Officer should be the same for members of the Indian Civil Service as well as for members of the Provincial Service. Would you say that members of the Indian Civil Service should get Rs. 50 a month and members of the Provincial Civil Service Rs. 30 a month ?—I would not object to it.

40927. Would you object to Rs. 100 ?—I do not think Rs. 100 is justified.

40928. Why ?—Because it is extravagant.

40929. Do you think that a Sub-Divisional Officer has to maintain and keep up the same style as an ordinary officer of the same grade and position elsewhere ?—He gets a free house; and he gets under this proposal, say, Rs. 50; which together is worth at least Rs. 100.

40930. Do you know that the charge allowance of a Sub-Inspector of Police in the mufassal is something like Rs. 15 ? You propose to double that amount in the case of the Sub-Divisional Officer ?—With a free house. I do not think one ought to forget that.

40931. The Sub-Inspector has a free house and Rs. 15 extra. Bearing that in mind, do you think it fair that a member of the Provincial Civil Service should get Rs. 30 ?—I do not think one should compare the allowances. You must compare the total emoluments.

40932. You may not compare it, but the whole world will. The people when they judge the relative merits of the Sub-Divisional Officer and the Police Inspector will say, "He is getting double the amount of the Sub-Inspector." Would that be fair ?—I look at it from a different point of view. I look at the total emoluments and not any proportion of them. That, in my view, is the correct way of looking at it.

40933. As regards the pension of these listed men, you say that they may earn a maximum pension of Rs. 6,000, or should be eligible for an additional pension of Rs. 1,000 ?—Read the end of that answer. That really embodies the suggestion I make. I would, in fact, raise it to Rs. 7,500. That is my proposal.

40934. Do you not think, considering the proportion of the pay of members of the Indian Civil Service and the Provincial Civil Service, that it would be fair and equitable to raise it to two-thirds of the pay which the members of the Indian Civil Service are getting, barring of course the amount they secure by their own contribution which you say amounts to £150 a year ?—It may sound rather a paradox, but the Rs. 7,500 is two-thirds of £1,000.

40935. I think not. You said the listed-post officer ought to get two-thirds of the pension of the Civilian, and I say that this Rs. 7,500 is not two-thirds of the £1,000 ?—The calculation is that you reconvert the £1,000 at 1*s.* 9*d.* the rupee into rupees. That comes to about Rs. 11,000, odd. Take two-thirds of that, and you get Rs. 7,600.

40936. You have no objection to the principle that we should get two-thirds of the net amount that you get ?—Always assuming that it is reconverted at 1*s.* 9*d.* It is because of the two-thirds that I suggested Rs. 7,500.

40937. (*Mr. Datta.*) You have not expressed any opinion in your written answers about the judicial branch of the Provincial Civil Service ?—No. I am not prepared to be examined upon it.

40938. You have no experience of that ?—No. I prefer not to be examined on the Judicial side.

40939. Would you be able to give your experience and opinion with regard to the pension and leave of that Service: I can give you facts to go upon ?—I would prefer not to be examined upon the Judicial Service. I volunteered no evidence upon the subject.

40940. (*Sir Murray Hammick.*) With reference to young Assistants, we have had evidence in several provinces that some concession should be made to them by which they should be financed at the beginning of their career. We have been told in some Presidencies that if the Assistant Collector is to live at all according to his station he cannot help getting into a fairly large amount of debt before he gets his Sub-division. What is your opinion with regard to this in Bihar and Orissa ?—I have only been in this province a year. My general opinion is that an increase of pay in the first few years of service is very desirable, especially with the present age, because many men come out married.

40941. Have you a system in Behar and Orissa by which these Assistant Collectors can draw an advance of Government money ?—That is usually done in Calcutta when they arrive. They take two months' pay in advance—I did myself. They can take Rs. 800 or Rs. 1,000. I think the limit is Rs. 1,000.

40942. As far as you know, that is often done ?—I think it is frequently done.

40943. With the paying off of that debt, and the deductions of Rs. 400 a month, the pay dwindles to something like how much ?—One-third of the pay for the advance is deducted. I expect not much more than Rs. 300 is left.

40944. So that really a Civilian begins on Rs. 280 a month ?—He has always got the Rs. 1,000 ; but he has probably spent that.

(The witness withdrew.)

SACHCHIDANANDA SINHA, Esq., Barrister-at-Law.

Written answers relating to the Indian Civil Service.

40945 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service ? Do you accept it as generally satisfactory in principle ?—The principle of open competition for recruitment of public services is, on the whole, least open to objection, but the system as now in force for recruitment of the Indian Civil Service is very unsatisfactory, so far as the Indian candidates are concerned. Though the system has now been in operation for sixty years, it has been computed that only 84 Indians have been so far successful, against a total of 2,643 Europeans. This works out to the average annual rate of admission for Indians at 1·4 and the proportion of the total admission of Indians to that of Europeans comes to only 3·2 per cent. No comment is necessary on these figures to bring out the utter inadequacy of the representation of Natives of India in the Indian Civil Service, and the satisfactory solution of this problem is urgently called for. The experiments made to recruit Indians in the higher services through the means of the now-abolished system of " Statutory Civil Service," as also by throwing open " listed posts" to the Provincial Civil Service, have failed to do justice to the legitimate claims and the just and reasonable aspirations of the people of this country.

40946 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest ?—As at present conducted (*i.e.*, only in London) it does not offer equal facilities and opportunities to the King-Emperor's Indian subjects, for reasons too obvious to require mention. I would, therefore, urge the desirability of holding simultaneous examinations both in England and in India. The successful candidates at the Indian examination should be made to pass their period of probation at a British University—preferably Oxford or Cambridge—the said period of probation to extend to at least two years.

40947 (3). Is the system equally suitable for the admission of " Natives of India" and of other natural-born subjects of His Majesty ? If not, what alteration do you recommend ?—No. The alteration I would suggest is the one mentioned in reply to question (2).

40948 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is, or is not, to the advantage of Indian interests ? Please give your reasons ?—I see no objections to the system now in force.

40949 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose ?—No alteration is necessary or desirable, but the expansion of the principle (*i.e.*, the holding of simultaneous examinations in both India and England) is absolutely desirable and necessary.

40950 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty ?—I am strongly in favour of it. It has long been advocated by the Indian National Congress and a recent " Note on the Public Service Questions," prepared by Mr. Syed Wazir Hasan, B.A., LL.B., officiating Honorary Secretary, All-India Muslim League (Lucknow, 1912), goes to show that even Mussalman opinion, which was formerly supposed to be hostile to it, has now come round to the view that simultaneous examinations is the only solution of the problem.

40951 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India ? If you favour such a scheme, what proportion do you recommend ?—I am totally opposed to the introduction of any such scheme. It would be, in the first place, in my opinion, illegal and unconstitutional, as being in direct contravention of section 87 of the Parliamentary Statute of 1833, and the Royal Proclamations issued since. Secondly, because Lord Ripon's Government (in a despatch dated 12th September 1884) having suggested to the Secretary of State a system more or less on the lines embodied in the question under reply, the latter negatived the proposal (in a despatch dated 8th January 1885), laying it down that " it would be inconsistent with the nature of an open competitive examination to limit the number of Native (*i.e.*, Indian) candidates who might be successful to 18 per cent. of the total number selected." Thirdly because, apart from the considerations mentioned above, the candidates recruited by such a process will carry the brand of inferiority.

40952 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination ; (*b*) combined nomination and examination ; or (*c*) any other method ? If so, describe fully what

tions being held in India and in England, the successful candidates in the Indian examination should spend at least two years as their period of probation at a British University. During this period they should be required to pay particular attention to the study of Indian laws, especially those bearing on the executive administration of the country as also the study of British constitutional law and its History. Similarly, candidates successful at the London examination should be required to spend their period of probation in India, in thoroughly mastering Indian laws, Indian History and the principal vernacular or vernaculars of the province to which they have been posted. This object can best be attained at the head-quarters of a district under the guidance of a senior member of the Indian or the Provincial Civil Service.

40974 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—Only such differentiation seems to me to be necessary as is indicated in the reply to the last question.

40975 (33). Do you think it desirable to start, at some suitable place in India, a College for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—No.

40976 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—No.

40977 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—No. Under the system obtaining at present the training imparted is more or less perfunctory. This should be replaced by a more systematic and methodical training at the head-quarters of a district, under the guidance of some senior member of the Indian Civil Service or even of the executive branch of the Provincial Service. The course of instruction should extend to the subjects mentioned in reply to question (30) and also to the actual business of executive administration. The latter can be best learnt by being associated with officers doing the work. The vernacular or vernaculars of the province will, of course, have to be learnt by reading with a teacher who may know any particular vernacular as his mother-tongue. Quarterly or six-monthly examinations should be held to test the proficiency of the candidates so being trained, and they should be confirmed only on their having satisfied the test of the examinations both written and *vivâ voce*.

40978 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—There has been a marked deterioration in the knowledge of Indian languages possessed by the European members of the Indian Civil Service, due mainly to the growth of a large English-knowing class of Indians, with whom they find it easier to transact all official business in English. They cannot now be said (at any rate in Bihar) to attain to an adequate proficiency in the study of Indian languages. The remedy for this state of things is suggested in the reply to the last question.

40979 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch?—As to the officers who are to serve in the executive branch, a study of the Indian laws during their period of probation, duly tested by examinations as already suggested, may be found sufficient as preliminary training, which will stand them in good stead in acquiring a larger familiarity with legal literature and practice, in the course of the discharge of their duties. It would be well to hold annual examinations to test such knowledge during the first few years of such officers' careers and, to encourage them to attain proficiency, prizes might be awarded. As to those who are to work on the judicial side, the knowledge of law required is so extensive, that I cannot suggest any feasible scheme for the purpose. I have, therefore, suggested the formation of a Judicial Service including in its cadre the posts of District and Sessions Judges, which should be recruited from amongst Subordinate Judges and from practising Barristers and Vakils—the members of the Indian Civil Service being confined to the executive administration of the country.

40980 (38). Do you recommend any special course of study in law in India for officers selected for the judicial branch?—If my suggestion for the exclusion of the posts of the District and Sessions Judges from the cadre of the Indian Civil Service is not carried out, officers selected for these posts should be given regular and systematic training in Indian laws, especially civil laws, in which, at present, most of the officers are found to be sadly deficient. The only feasible solution, however, of the problem seems to me to be what I have suggested in reply to the last and some other questions—namely, the formation of a distinct Judicial Service, composed of members of the judicial branch of the Provincial Service with a large admixture in the ranks of District and Sessions Judges from amongst practising Barristers and Vakils, the members of the Indian Civil Service being confined to the executive administration of the country.

40981 (39). Do you recommend any special training in subordinate judicial posts in India

for officers selected for the Judicial branch? If so, please give details?—No.

40982 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend? —Except that those Natives of India who may happen to know the vernacular or vernaculars of the province to which they are posted, may be exempted from its or their study, no other differentation seems necessary or desirable.

40983 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—Those "Natives of India" who may be of unmixed European descent, should be treated like those who may be Natives of the United Kingdom, amongst the successful candidates, in the matter of their probation and training. As to those who may be of mixed European and Indian descent, it is difficult to make any general suggestion, the course to be adopted may depend in each particular case on the requirements of the candidate.

40984 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—I understand that the exchange compensation allowance was introduced at a time when exchange was unsteady and the equivalent in Indian money of a sovereign was about Rs. 19, since then the exchange has been fixed at Rs. 15 to £1. That being so, the allowance may now be abolished. But, if it is not to be abolished I would suggest its benefits to be extended to all members of the Indian Civil Service, wholly irrespective of nationality or domicile. The present differentiation apart from entailing great hardship on the Indian members of the Service— most of whom have to make remittances to Europe for the education of their children—is a source of bitterness of feeling. As to the second part of the question, I am of opinion, that even if the allowance is to be continued to those who are in service, it should not be granted to future entrants.

40985 (46). If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the Service who now draw no exchange compensation allowance?—I do not recommend the abolition of exchange compensation with compensation in the form of increased salaries, but if this system is introduced, its benefits should be extended to even those members of the Service who now draw no exchange compensation allowance; this for reasons stated in the reply to the last question.

40986 (47). Turning now to the case of Statutory Civilians and officers of the Provincial Civil Services holding "listed posts," do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the Service?—In view of the general rise in prices and the increased cost of living, it will act as an inducement to a better class of Indians to enter the Provincial Service, if the pay of members of the latter, when occupying "listed" posts, be fixed at three-fourths of that fixed for members of the Indian Civil Service.

40987 (48). Have you any proposals to make in regard to the leave rules applicable to members of the Indian Civil Service?—I understand that under the rules in force, furlough and pension allowances, if paid in India, are at present calculated at two shillings to the rupee, which entails a very heavy loss to those who spend their furlough or period of retirement in India. Under this rule a member of the Indian Civil Service, if he is to get £1,000 in England (the equivalent of Rs. 15,000), would get only Rs. 10,000 in India. I suggest that this anomalous distinction be abolished.

40988 (49). Have you any proposals to make in regard to the leave rules applicable to Statutory Civilians, and to members of the Provincial Civil Services holding "listed posts"? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—I am not in a position to answer the first part of the question. As regards the second part of it, I am of opinion that considering that the Statutory Civilians and Provincial Service officers holding "listed" appointments occupy the same position and discharge the same onerous duties as members of the Indian Civil Service, it does not seem to me to be desirable to have separate sets of leave rules for them and for the latter.

40989 (50). Please add such other remarks as you may desire to offer on any point relating to the conditions of service, salary, leave, and pension in the Indian Civil Service?—I understood that Indian members of the Indian Civil Service are excluded from the benefits of Family Pension Fund. If so, the benefits of the fund should be extended to them also on the same terms as it is now enjoyed by the European members of the Indian Civil Service.

Written answers relating to the Provincial Civil Service.

40990 (51). Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable or have you any recommendations to make for their alteration?—

Yes, they are generally suitable to the requirements of the Provincial Civil Service. Some objection is taken, however, to Clause VII. It is suggested that an additional grade of Munsifs should be appointed at Rs. 500 and that promotion by mere seniority should be made up to this grade. If this is accepted, similar provision as to promotion by seniority may be necessary in the case of the corresponding grade of Rs. 500, in the Executive branch of the Provincial Civil Service.

40991 (52). In particular, are the rules for the recruitment of the Provincial Civil Service, in force, in your province suitable, or have you any recommendations to make for their alteration ?—I would suggest an open competition as the method to be adopted for recruitment ; the present system of nomination, pure and simple, being, in my opinion, open to grave objection. If the system, I suggest, does not secure in any particular year, the representation of any comparatively backward community, such of the candidates from that community as have competed and have secured the highest marks, may be appointed, and this system of qualified competition for backward classes or communities may be continued till such time as it may be considered necessary, for the due and proper representation of all important communities.

40992 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs ?—Yes. It should be open only to those who are (*a*) either members of the indigenous population of the province or (*b*) genuinely domiciled in it. The insistence of this rule is all the more necessary in Bihar and Orissa, where the vast bulk of the appointments in the Provincial Civil Service are held by gentlemen who are not members of either the indigenous or the domiciled population of the province.

40993 (54). Are all classes and communities duly represented in your Provincial Civil Service ? Do you consider that this is desirable, and what arrangements do you recommend to secure this object ?—No. The representation of all classes and communities of the indigenous and domiciled population of the province is very desirable. As stated in the reply to the last question the Biharees, the Uriyas, and even the domiciled classes are very inadequately represented in the Provincial Civil Service. Of such representation as the people of the province has been able to secure, the Biharee Hindus—who constitute roughly 85 per cent. of the population of Bihar—are most inadequately represented. It has already produced very great dissatisfaction well-nigh bordering on discontent —amongst the educated and thoughtful sections of Biharee Hindus, and special efforts must, therefore, be made to bring about a due adjustment in this respect. A reference to the Provincial Civil List will bear out the statements made above. As to the arrangements to be made to secure the due representation of Biharee Hindus, the best I can suggest is recruitment by open competition for all posts in the Provincial Service. Failing it, I would expect the Local Government to keep the matter before them in any scheme under which recruitments might be made.

40994 (55). Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service ? If not, please state your objections, and what other arrangements you recommend ?—The existing arrangements are fairly satisfactory in the case of officers of the Executive branch, while those of the Judicial branch being recruited from practising lawyers, no special training is necessary in their case.

40995 (56). Do you consider that the numbers of officers authorised for the various grades of your Provincial Civil Service are satisfactory ? If not, please state your views ?—I understand that there is a deadlock in the work on the civil side and the dilatoriness of civil litigation is almost notorious. At present a number of first grade Munsifs are also invested with powers to try cases up to a valuation of Rs. 2,000 which used to be tried before by Subordinate Judges. To make civil justice expeditious and to remove the trial of cases of the valuation of more than Rs. 1,000 from Munsifs to Subordinate Judges, increase will have to be made in the number of officers in the various grades of the Judicial branch, but I am not in a position to give details of the suggestion. If the suggestion be accepted, the Government can best work out the details. I do not think that any additions to the grades of the Executive branch are necessary at present.

40996 (57). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated ? Is any change desirable, and, if so, in what direction ?—The functions of the officers of the Executive and Judicial branches of the Provincial Civil Service are broadly divided, those of the Judicial branch trying civil and rent-suits and those of the Executive branch disposing of criminal cases and miscellaneous criminal and revenue work. If a system of complete separation of the Executive and Judicial functions be carried out, such as enlightened Indian public opinion has urged for a long time, those members of the Provincial Civil Services who will only try cases—whether civil or criminal—will have to be constituted into a separate Judicial service, quite distinct from those who will do miscellaneous, criminal and revenue work. Under such a scheme, the Deputy Magistrates trying criminal cases will be purely Judicial officers, wholly unconnected with the directing of the police investigations or initiation of criminal proceedings, and they will be, like the officers trying civil cases, completely under the control and supervision of District and Sessions Judges and will have nothing to do with the District Magistrate.

40997 (58). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest ?—Yes, but some of the officers of the Provincial Civil Service are desirous that the designation be changed in each

province to one named after the province itself, in contra-distinction to the superior "Covenanted" service which is now designated "Indian Civil Service". If this suggestion be carried out, the Provincial Service of this province will have to be called as "the Bihar and Orissa Civil Service".

40998 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes.

40999 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—I would suggest an addition to the grade of the Executive branch at Rs. 1,000 corresponding to the similar grade on the Judicial side. I would also fix the initial pay of all officers—Executive and Judicial—at Rs. 300, rising by increments of Rs. 100 to the highest grade of Rs. 1,000. If the suggestion be accepted, the adjustment of the officers in each grade may be left to be made by the Local Government. If my suggestion of recruiting the Provincial Civil Services—both Executive and Judicial—by open competition, be adopted, I would suggest the adoption of a time-scale for purposes of increment to the salaries, up to the grade of Rs. 600, during a period of 12 years. I would further suggest the abolition of what is called the subordinate executive service in this province and its being merged in the Executive branch of the Provincial Service.

41000 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary appproximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—In view of the general rise in prices and to attract a yet better class of men, the rate now, in force, may be raised to three-fourths of the pay fixed for the Indian Civil Service.

41001 (62). Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—I would suggest that members of the Judicial branch should be allowed privilege leave for one month in the year on full pay like those of the Executive branch. The present rule under which the former get privilege leave on half pay only, is a source of legitimate dissatisfaction to them. I am not in a position to offer any suggestions in regard to the existing differences between the leave rules for the European and Indian Services as I do not know what they are. I am, however, as a matter of principle, against the existence of any rules of difference based on purely racial considerations, and if the differences in the present leave rules are due to them, I would suggest their abolition and their being replaced by uniform rules applicable to both Europeans and Indians.

41002 (63). Are you satisfied with the present system of superannuation pensions for officers of the Provincial Civil Service? If not, please say what modifications you would suggest, and on what grounds?—I am not in a position for want of knowledge of the subject to express any opinion.

41003 (64). Are you satisfied with the existing organisation of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—No alternative organisation is necessary at present, as the existing system, if modified in the light of the suggestions made above, will serve the purpose.

MR. SACHCHIDANANDA SINHA called and examined.

41004. (*Chairman.*) You are a Barrister and a Member of the Legislative Council?—I was a Member of the Imperial Legislative Council till January last, but I am no longer a Member.

41005. Do you occupy any public positions?—I am the Secretary of the Behar Provincial Association and the Behar Provincial Congress Committee, an ex-President of the Behar Provincial Conference and the United Province Conference, and I am connected with many other public movements.

41006. You lay stress in your opening remarks on the scarcity of Indians that have passed into the Indian Civil Service. May I take it that your primary object is to get more appointments for Indians in the Civil Service?—Yes, exactly.

41007. You suggest for that the institution of simultaneous examinations both in England and in India?—Yes.

41008. And you think that there is no reason to apprehend that a large proportion of the Indian Civil Service will not continue to be recruited from His Majesty's European subjects?—No.

41009. Would you tell us what guarantee, on the other hand, there is that under such a system enough Indians will get in and you will attain the object that you have in view?—I do not say, my Lord, that enough Indians will get in, and it is therefore I keep the listed posts open as well in this country. If I felt satisfied that the examination in this country will bring in enough number of Indians, I would not be in favour of the listed posts being kept open. It is because I apprehend that they will not get in in sufficiently large numbers, that I propose that the listed posts should be kept open in this country.

41010. Are you desirous to see the British element in the administration maintained?—

Yes. More than the British element, it is the British tone, that is wanted in the administration.

41011. What guarantee can you show us that the British element will be assured in the years to come, under the system of the simultaneous examinations ?—Nobody can guarantee it ; but taking the facts as they are,—the difficulties of Indian students in the matter of education in this country, want of facilities for higher education, and the fact that in England there is the system of well organised Universities and coaches —it will be a long time before India can come up to the level of England in offering the same facilities, and therefore there is no reason to apprehend that any time will come when the British element will be swamped in the Civil Service.

41012. If you could not get the simultaneous examinations which you suggest, would you be content if, whilst preserving the right of Indians to enter through the London door, you were given, as suggested by certain witnesses, a fixed number of places to be competed for at an Indian examination ?—A separate examination held here ?

41013. Yes ?—On principle I am opposed to it ; but as a matter of practical politics, if this is decided upon, I will not oppose it.

41014. If successful candidates at this examination went, for a period of two or three years, to a private University in England, would you consider that these candidates would occupy any position of inferiority, as compared with the candidates that enter through the London door ? —To some extent they will, certainly. They will carry a brand of inferiority for this reason.

41015. Are you aware that there are several methods of entry into the Army ?—I know very little about the army, except that Indians cannot hold commissioned posts in the army.

41016. I was only asking you that question from the point of view of inferiority—whether those who entered by one means into the army were afterwards regarded as in any sense of inferiority ?—May I know if your Lordship is referring to the recruitment of officers in the Army in England ?

41017. Yes, the British Army ?—The reason may be that in England people are so much more enlightened that they might not mind it ; but in this country I am sure that if different methods are resorted to, people will regard it as carrying a brand of inferiority. That is the public impression, and whether it is ill-founded or well-founded, I cannot say.

41018. In your answer to question (11) you make certain proposals about the recruitment for the Judicial branch. You would recruit from the Bar—Vakils—and from amongst sub-judges of the Provincial Civil Service ?—Yes.

41019. You say that there is no lack of European Barristers for the posts of district and sessions judges. Do you know of any Bar where there are many Europeans ?—The Calcutta Bar contains many Europeans. In the Bar of which I am a member, there is a fair number of Europeans.

41019*a*. Which is yours ?—The Allahabad Bar. I am enrolled both in Calcutta and Allahabad.

41020. Is there a large European element in that province ?—A fair number in Allahabad ; but in Calcutta there is a very much larger number of Barristers of ten or twelve years' standing who, I know for a fact, would be glad to take up appointments of district judges, if offered to them.

41021. Has the European element remained the same of recent years or has it undergone diminution ?—In number ?

41022. Yes, in numbers ?—I am not in a position to answer that. I do not know what the number was. It may be that the numbers have increased. But certainly the European Bar has suffered in Madras and in Calcutta also on account of the competition of the Indian Barristers on the score of income and practice ; but I do not know in regard to numbers.

41023. We have had evidence that there are a very few ?—In Calcutta ?

41024. Yes ?—Comparatively speaking, perhaps there may be.

41025. You desire to recruit the judiciary more largely from the Bar and you indicate certain dissatisfaction at the present system ? —Yes.

41026. Why do you desire to confine the officers of the Indian Civil Service to the Executive branch ?—Because, in my opinion, the officers of the Indian Civil Service have proved themselves to be exceptionally able to do executive work and not so, to the same extent, judicial work. On the contrary, if I may be allowed to say so, my own experience tells me that there is great dissatisfaction with the judicial work turned out by civilian judges. That has been officially borne testimony to for a long series of years. There is the minute of Sir James Fitz-James Stephen of about 40 years ago when the subject was ably dealt with, and it was then remarked that there was great dissatisfaction with the work of district judges in those days.

41027. We have been told by eminent men and judges of the High Court that the early training of a civilian Judge as an executive officer is of the greatest possible value to him as a judge. Under your scheme of recruitment from the Bar and from the subordinate judiciary of the Provincial Civil Service, would there not be a risk and chances of friction between the Executive and Judicial branches of the Service ?—I do not apprehend any reason why there should be. I take it that both the branches of the Service will be actuated by the same motives, that they should carry on the government of the country.

41028. I suppose you would not altogether regard with disfavour the proposal made by certain witnesses that a portion, at any rate, should be recruited from the Indian Civil Service ?—No. I have no objection to keep one-third for the Indian Civil Service, for the present.

41029. Assuming that that Service has improved training ?—Yes, certainly.

41030. In your answer to question (30), you propose to separate the Indian and the English candidates during their period of probation and to give them separate courses during probation? – I think I suggest that those who pass in England should be sent out to India and those who pass in India should be sent out to England, provided there is the simultaneous examination here.

41031. Do you not think that it is rather important that, during the probationary course, both the European and the Indian candidates should, if possible, be brought into contact with each other?—There is certainly force in that statement; but it seems to me that what each lacks must be supplied by a residence of two years either in India or in England, as the case may be. It seems to me, on the whole, better to send out European candidates here and the Indian candidates there. But to the idea of getting them together for some time, I have no objection.

41032. I suppose the object you have in view is that the European candidates should have some more specific and definite training as regards the conditions and characteristics of India, prior to their entering into the Service?—Quite so, my Lord.

41033. If, during the first year of their service, which is practically a probationary year, something more specific and definite were supplied in that training, that would, to some extent, meet your view?—Undoubtedly.

41034. You would pay the officers holding the listed posts three-fourths of the pay given to the members of the Indian Civil Service holding similar posts?—Yes.

41035. I take it that you are content that the two shall not hold actually equal status?—They should certainly hold equal status in all matters, but not in the matter of pay. Whereas the member of the Indian Civil Service, whether a European or a Native of India who has to go to England, and spend money, has to take risks and chances these gentlemen of the Provincial Service have not had to do that and therefore I would keep a difference in the scale of pay.

41036. You will try, if possible, to equalise their status, without assuring them equality of pay?—In the matter of leave rules I would make no distinction between the Provincial Civil Service men holding the listed posts and the Civilians; but in the matter of pay I would keep the difference.

41037. You think that it is more important to give equality of treatment as regards leave, than as regards pay?—I simply go upon what I have been told. What they have told me—a number of them have sent me pamphlets—is that they all think that they will be better off if they can get the same rules of leave. As for the pay, they would like to have as much as Civilians get; but if they could not get it, they are quite content to have three-fourths.

41038. That is not so much your opinion as what you have been told?—Yes, what I have been told to represent to the Commission.

41039. I should have thought that to have the same pay would be more important?—Because they think that as there is no chance of getting the same pay, they would like to have improvement in other matters.

41040. You would like to have open competition in the Provincial Civil Service?—Yes.

41041. Would you accept the proposal of competition amongst nominated candidates? Not quite. There should be open competition and the Government should choose the first few whom they require, and if any particularly backward community has not furnished successful candidates, the Government should choose the first man from that particular community, out of those who competed. It will, in that way, ensure the return of a member of the backward community, and a man of that community who secured the highest number of marks would thus be available.

41042. For a proportion?—For one or two seats. If I may add only one word, I would say that the drawback with regard to nomination is that it may be difficult for some people to get themselves nominated, that is the point to be borne in mind. A competitive examination used to be held in Bengal and Bihar in the early days and some people told me that they could not themselves be nominated.

41043. We have had it put to us by certain witnesses that a board of nomination might be appointed to nominate candidates, and might consist partly of officials and partly of non-officials. Would that meet with your approval, a committee of selection?—That would be in advance of the other, namely, that of leaving the whole thing in the hands of the Government.

41044. You complain in your answers to questions (53) and (54) that the bulk of appointments in the Provincial Service are held by officers who are not residents of the province?—I do. Out of 300 executive posts in the Provincial Civil Service of this province, not more than 80 are held by Natives in the province, of whom, when I worked out the figures last, 30 were Hindus and 50 were Muhammadans. I have not done it recently, but if your Lordship desires me to work it out from the last Civil List, I would do so.

41045. Then you would confine the cadre to the residents of the province?—Quite so.

41046. You would not admit anyone to enter the service who is outside the province?—In all the provinces it is the same. But the conditions are different here on account of our long connection with Bengal, and that is how this state of things has come about.

41047. Do you think that it is important that the Service should be confined to the people who reside within the province?—I attach great importance to it.

41048. You think, according to your answer to question (56), that the present staff is unable to cope with the civil judicial work and we hear a great many complaints of over-work in both

the Services. Could you say anything more on that point?—I can say from personal experience that the civil officers are very hard-worked. They have to sit till very late in the evening and it certainly places great strain on their physical energies and talents to dispose of the work allotted to them. They are a very hard-worked people and I sympathise with them. I think that they should be given the same privilege leave that is given to the members of the Executive service. The reason why that leave is withheld from them is, it is said, because they are civil officers and have a long holiday of one month's vacation, as compared with the members of the other Service. But, considering the nature of the work, the arduous nature of the work, they discharge, I think they are entitled to great consideration in all these matters.

41049. Therefore, you are suggesting by that answer not only an increase of the judicial staff but improved leave conditions?—Yes, leave rules also.

41050. Would you say that efficiency has suffered from this over-work?—I would certainly say so. They have to show, I understand, a certain amount of work, and in order to clear it off they have to scrape through their work somehow or other to bring up the requisite standard of work. If they do not do it, they are marked down as lazy and slow. In that way, the work suffers, I think.

41051. In your answers to questions (60) and (61) of the Provincial Civil Service series you advocate a certain increase of pay for the Provincial Service on the ground of rise in prices in this province?—Yes, certainly.

41052. Would you say that the same thing applies to the Indian Civil Service also?—On the face of it, it does certainly, and I have no objection to it if the finances permit it. I have no objection to their emoluments being raised, and personally I would not oppose it. But regard being had to the scale fixed, the Indian Civil Servants might, for the time being, be content with what they get. But the Provincial Civil Service men get very much less and therefore I suggest an increase.

41053. (*Sir Murray Hammick.*) With regard to your answer to question (1), I do not quite understand where you got the figures from—that only 84 Indians were so far successful against the total of 2,643 Europeans?—I think these are figures worked from the India Office list. That is the total number of persons who passed out since the Service was thrown open to competition, namely 84 Indians as against 2,643 Europeans.

41054. You say that is the total number of passes?—Yes. I would not say that they are quite accurate. I believe that they are within the mark.

41055. I did not understand what you meant, and now it is all right. Now as regards the Civil Servant judges, I suppose your objection to a Civil Servant judge is that he becomes a judge before he is properly trained?—If I may put it broadly, he becomes a judge at the start when he is a Civilian of 6 or 7 years' standing, and then he hardly knows any civil law and of criminal law he knows very little.

41056. If measures were taken whereby a Civil Servant, before he sits as a judge in a civil court, had some further training in law and it was guaranteed that he knew at all events the civil code properly, your objections to Civil Servant judges would be very much decreased?—Yes, on that assumption that he is properly trained, and then I would have no objection to a portion of appointments being reserved for Civilian judges.

41057. If a Civil Servant is properly trained to be a judge, why do you limit him to one-third of the appointments?—For this reason, that regard being had to the present condition of India it is desirable that, in public interests and on political grounds, other classes also should furnish officers, and considering that the Bar is very much advanced it should be given a chance in this matter. You know that in England it is the Bar which provides judges and not Civilians. But in India, as the case is different, I have no objection to its being the recruiting ground for judges; but having regard to the conditions of India, I would not reserve all judicial posts for the Civil Service alone.

41058. In the Allahabad Court, your own Court, can you tell me how many European Barristers are practising there?—About 25, speaking off-hand.

41059. In your answer to question (22) as regards the employment of Military Officers, you say that when it existed the practice of employing Military Officers caused great dissatisfaction to the people. On what ground do you say that?—I had the privilege of appearing before some of them in Chota-Nagpur and their methods were so rough and ready, to put it in a mild way, that people who were used to the procedure adopted by Civilian Officers did not like them. Neither the litigants nor the members of the Bar were satisfied with the rough and ready methods adopted by these Military Officers.

41060. You would not agree with those witnesses whom we had before us and who told us that in the old days Military Civilians were far better than the Civilians they have now got, and that every district retains very great affection for the Military Civilians that existed some years ago?—I will agree, because that is what I have read myself, especially in regard to the Punjab and frontier districts. But my own little experience of the few Military Officers in Chota-Nagpur just before the system was abolished, did not encourage me to think that it was a desirable system in this part of the country.

41061. Then I do not quite understand your answer to question (56). You say, "to make civil justice expeditious and to remove the trial of cases of the valuation of more than Rs. 1,000 from Munsifs to Subordinate Judges, increase will have to be made in the number of officers in the various

grades of the judicial branch." Why is it that you wish to remove cases of the valuation of more than Rs. 1,000 up to Rs. 2,000 from the Munsifs ?—Because up to a few years ago, those cases used to be tried by sub-judges in the Provinces of Bengal, Bihar and Orissa. Then they could not cope with the work. On account of large increase in litigation the number of cases accumulated and the Government, far from adding to the staff, simply empowered their Munsifs to try the cases up to Rs. 2,000. In that way these cases, which are fairly important, are tried by officers of inferior jurisdiction, with a Bar not so competent as the Bar in a subordinate judge's court, and the litigants therefore do not feel satisfied that they get that justice which they think they should get in important cases. Therefore, they desire that the system should be restored by which these important cases up to Rs. 2,000 will be tried by subordinate judges with the assistance of a superior Bar.

41062. It is not so much that you are dissatisfied with the way in which the Munsifs try the cases, as that these Munsifs sit in out-of-the-way places where you could not get a good Bar and therefore you say that valuable suits should not be tried, where the Bar is not sufficiently efficient to deal with these cases ?—That is one reason and also because the litigants think that they are important cases. In this country, the bulk of civil litigation is between Rs. 1,000 and Rs. 2,000, which is regarded as very important in a poor country like India, and people think that they should have the right to have these cases tried by a superior judge, *i.e.*, a subordinate judge.

41063. Is it more expensive to get a case tried before a sub-judge than to get it tried locally by a Munsif in an out-of-the-way part of the district ?—The court-fee is the same whether the case is filed in the Munsif's Court or in the Subordinate Judge's; the lawyer's fee is also perhaps the same.

41064. The fee given to lawyers is a good deal more ?—Perhaps it is so.

41065. Are not your Munsifs invested with small cause powers ?—Some only.

41066. (*Mr. Chaubal.*) About the hard work which the subordinate judiciary have got to perform, have you ever tried to see and compare the longevity as between Executive officers and Judicial officers when they retire ?—I fear I cannot say that. All that I can say is that very few Indians live to enjoy their pensions. The Provincial Civil Service men, most of them, die within a year or two.

41067. I want you to compare the two. So far as Bombay is concerned, I tried to do it, some years back, and it was discovered that the men in the Judicial line go to the grave much earlier than their brethren in the Executive line ?—I think that is due to their sedentary work. That is what I have been told by sub-judges and Munsifs, but I have no personal knowledge.

41068. As regards the question of jurisdiction, do you really think it to be of any importance—the point of pecuniary jurisdiction ? I ask you this question for this reason : that Munsifs here are equal to sub-judges of the second class in Bombay. They have jurisdiction up to Rs. 5,000, and nobody feels that sub-judges of the second class do not administer proper justice. On the contrary, everyone that you come across praises them for the excellent work they are doing ?—It may be so in Bombay. In these matters local conditions differ very much.

41069. Speaking of the fees in sub-courts and fees in Munsifs' courts and pleaders' fees ; are not they regulated by a percentage of the amount of the claim ?—The Court awards the fees on the valuation of suits. But pleaders, I believe, charge their own rates.

41070. It is permissible for any pleader to charge anything he likes. The court-fee being the same in both courts, the fees which are recoverable under the decree by a successful party are also regulated ?—Yes.

41071. I have one or two questions to ask with reference to the simultaneous examinations. You have heard proposed to us in some places a scheme of scholarships to allow the best Indian talent to go Home and appear for the open competitive examination. You have heard of such a scheme being put forward ?—I have heard something about it.

41072. I want to know whether you agree with this limitation to which I take it you will agree,—that for a certain number of years to come a certain proportion of the British element is desirable in the Service ; that is one assumption ?—Yes.

41073. If you want to keep that proportion, then it is not a very large and wide door that you want, but you want a door which will admit some larger number, consistent with the proportion which you might fix. At the same time you want a larger number of Indians to be employed in the higher Service. As between the two, the schemes of scholarships calculated to bring about that effect and the system of simultaneous examinations calculated to bring about the same result, which would you prefer ?—If I could not have the simultaneous examinations, I would have the scholarships as the next best, without any hesitation.

41074. But would you put the simultaneous examinations first ?—That is more a question of principle than anything else. I want that ; but if I cannot get it, as a practical man I will accept the scholarships.

41075. Have you ever considered and worked out what the cost to the country would be of the simultaneous examinations ?—Being held here ?

41076. Suppose the simultaneous examinations were started here, what would be the cost to the revenues of the country of holding the examination merely ?—That I am not in a position to say, as I have not worked it out. But I think

the gain would be commensurate with the expenditure incurred.

41077. I will now repeat the same question to you in another form. Those who have worked out the figures tell us that the cost to India of holding the simultaneous examinations will be between £8,000 and £10,000 every year?—A lakh of rupees roughly.

41078. Rs. 1,20,000 to Rs. 1,50,000. With that fund you can start certainly 25 scholarships?—Yes.

41079. It is also admitted by those persons who worked out these figures that, for years to come, on account of the present educational institutions in the country, you cannot expect any appreciable number to come out successful in the simultaneous examinations?—No.

41080. But India has got to spend between Rs. 1,20,000 and Rs. 1,30,000. Would it be better to spend it on the scheme of scholarships or in holding the simultaneous examinations?—On this assumption, it is better to have scholarships.

41081. (*Mr. Fisher.*) You tell us that Mussalman opinion in former years was hostile to the scheme of simultaneous examinations?—Yes.

41082. It has now come round in favour of it?—To a very large extent, as far as I can gauge public opinion.

41083. Can you tell me why this change has taken place?—What I tell you can only be my impression. There are various reasons for it. The first and the foremost is the advance of education; secondly, the feeling in the better mind of the Muhammadan is that they should not prove a drag on other communities on account of their own backwardness. There is this feeling of self-respect that "because we cannot get in for some years, we should not stand in the way of Hindus, Christians, and others coming in." Thirdly, as the result of progress in education and as the result of great political movements in Asia and Europe, the tendency among the people is to unite together as Indians on a common platform. These are the impressions which I have gathered.

41084. I suppose that these feelings will be confined to the educated section?—To that class which would furnish recruits for the examination.

41085. Have you considered the subject of simultaneous examinations from the educational point of view?—Not much, in that sense; but I have a general idea as a publicist, and if you ask me anything specific, I shall tell you what I know.

41086. Your main object in advocating the simultaneous examinations is to increase the Indian element in the public service?—In the highest public service.

41087. Have you considered at all the possible effects of the introduction of the simultaneous examination on Indian education itself?—Not exactly from that point of view. That has not occurred to me in that way.

41088. Does it occur to you, as a possible disadvantage, that you should ask all the cleverest boys in India to shape their educational course with reference to the English examination devised to procure for the Service the best English boys; in other words, that you would be, if I may say so, enslaving Indian education to an exotic course of study?—It occurs to me that it is more sentimental than anything else. If I can say, without disrespect, we are being enslaved—I am not using it in any political sense—to European culture, European civilisation and European tendencies of thought in all matters. We do not mind in the least if we are Europeanised. That being so, I do not think there is much harm accruing, if our educational policy is so shaped as to be moulded on European lines, if at the same time it could encourage students to go up for the Indian Civil Service.

41089. Would you not say that the safest method of introducing European culture into India is the method which is now being pursued by your educational experts, Indian and English, in India, and that is now embodied in the curricula of Indian Universities?—Even that, as you know it, has not given satisfaction to certain classes of people, who are dissatisfied with the curricula of Indian Universities, and are now agitating for founding National Universities for Hindus and Muhammadans at Benares and Aligarh. In such matters, there is no coming to an end. Each man has his own notion. Some people want to be more Europeanised and some to be less Europeanised. On that account, there is no sufficient reason why we should not mould our education on European models, if, at the same time, it gives our young men the chance of getting into the Indian Civil Service.

41090. Am I not right in thinking that the course which is being pursued by young Indian students and Indian Universities is a course which is not at present calculated to help them very far towards success in the open competitive examination in London?—Yes.

41091. May I know if I am right also in thinking that the Indian B.A. would be well advised to abandon his M.A. course entirely and to coach himself specially if he wishes to prepare himself for this London Examination?—Perhaps so.

41092. Would it not therefore follow that, if you introduce your system of simultaneous examinations, you would be diverting the very best Indian students from the M.A. course of your Indian Universities?—It may be that.

41093. Would not that really depreciate the value of your Indian M.A. degrees?—Perhaps so. It is a choice between two evils.

41094. I merely wish to point out the possible consequences?—Yes.

41095. Would there not therefore be the irresistible consequence that an agitation would arise in India to change your Indian University courses, in order that they may become more directly useful to candidates for the London Examination?—My own impression is that if by any change of system in our Universities, our young men will be able to pass the competitive examination in this country in larger numbers,

the people would welcome it and they would not agitate for a reversal of that policy.

41096. They would welcome a change in the University curriculum if it enabled their boys to pass the examination ?—Yes. They will set a greater store by it than on any fancied depreciation of the M.A. Degree.

41097. You will agree with me in thinking that the simultaneous examination would result in a considerable change in the University curricula in India ?—I would, to some extent. It will have to be adapted to that.

41098. (*Mr. Madge.*) Every examination for the Civil Service is preceded by a declaration of the number of vacancies that are to be filled ?—In the open competition in London ?

41099. Yes ?—I believe so.

41100. If simultaneous examinations were established in India, there would be a similar declaration here ?—Yes.

41101. Vacancies having been declared say up to a certain number, no more could be filled than that number, in the case either of India or of England. Suppose the number of vacancies were 10 or 12 and there were 13 candidates in one country who secured more marks than those who passed in the other. Would they not feel that, having secured a better position in the examination, they were unfairly dealt with by men who had secured inferior marks, being taken in while they were left out ?—That is not what I understand by the simultaneous examinations. What I understand is that they would be shown in one table according to the marks they get. The candidates appearing at the London Examination and the candidates appearing at the Indian Examination will be arranged in the order of merit, according to the marks they get. The first 10 or 12 will be taken according to the number of vacancies, whether they happened to appear in England or in India. That is what we understand by simultaneous examinations.

41102. Is it generally understood in that way ? I thought that the declaration in India would be for Indian candidates and the declaration in England would be for English candidates ? —No. Suppose the declaration for 1914 is that there will be 50 vacancies for the Indian Civil Service. There will be a number of candidates in London and a number here, and all those who compete will be shown in one table arranged according to the marks they have obtained. Whether they competed in India or in England, the first 50 will be taken.

41103. Would they take this view—those who are in favour of the simultaneous examinations ? What I have gathered from those who are in favour of the simultaneous examinations is that this is not their view. However, you say that is the general impression ?—Yes.

41104. So that, if we had any evidence to the contrary, that is mistaken ?—Yes.

41105. You have said that you do not think that there is any prospect of any very large number of Indians passing the examination, at first, for very many years ?—I gave my reasons for it also, at the same time.

41106. You say that there is no reason to think that any important class or community is likely to go wholly unrepresented if simultaneous examinations for the open competition were held both in England and in India ?—Yes.

41107. Considering the extremely backward condition of education among a number of communities in India, how do you reconcile these two answers ? How would a community which is backward be represented, if simultaneous examinations came in ? First you said that for a considerable number of years there would be a number of unsuccessful candidates ?—What I mean to say is that whereas there is no fear of the British element being swamped on the one hand, on the other hand there is no fear that any important Indian community shall go wholly unrepresented, by which I meant that the posts competed for and obtained shall fall not only to Hindus but also to Muhammadans, Parsees, Indian Christians and Anglo-Indians. The numbers may be small. It is not likely, regard being had to the progress of education, that the Muhammadan community, for instance, will be able to produce many successful candidates ; but at the same time, some from that community will pass the examination, if held in India. That is what I meant to say.

41108. I was not thinking of the swamping of the British element, but of the numbers that would succeed. Do you think that education will advance sufficiently for any number of years among all communities to ensure the return of all communities within any reasonable period ?—That is my impression. It may be great or small ; and it may be small in a particular community. For instance, the Muhammadan community may not be able to come up to its one-fourth or one-sixth proportion ; but nonetheless some Muhammadans will be successful.

41109. I am not thinking of Muhammadans alone, but there are many communities which are backward ?—When I use the word communities, I use it with reference to big communities like Hindus, Muhammadans, Parsees, Indian Christians and Anglo-Indians.

41110. Is your opinion about the recruitment of the judicial service general throughout the country or confined to a particular class or province ? You can only speak for your province ?—In regulation provinces, as they are called, I would advocate the system. If any province like Burma or the Central Provinces is too backward, I would not start that system there.

41111. In reply to question (12) you want to exclude from the definition of "Natives of India" persons of unmixed European descent. Why do you think this definition of "Natives of India" was introduced at all ?—I suppose—I

can only give my supposition—that it was introduced to enable this class to get certain benefits.

41112. Certain appointments?—I presume certain privileges. Benefits may include appointments.

41113. Do you not think that this exclusion would militate against what is spoken of as the removal of race bar?—The reason why I put it that way is because—if my knowledge of the facts is wrong I will withdraw my suggestion—as I understand it, the situation is this: these gentlemen of unmixed European descent, while enjoying the full benefits of the expression "Native of India," have certain other advantages over other Natives of India, which the latter do not share. For instance, they can send their sons into the Army or the Navy, whereas the other Natives of India cannot do that. Therefore I say, if they suffer from the same disabilities as we suffer from, let them be Natives of India; but when they have additional privileges to which we do not aspire or rather which we cannot get, it is better to keep them as Europeans. That is the view which actuated me in giving that answer.

41114. I did not ask you to balance the advantages enjoyed by one as against the advantages enjoyed by the other, but whether your answer did not militate against the general contention that there should be no race bar, considering that this has been removed?—It is no race bar to say that for certain purposes certain people should not be called Natives of India.

41115. After, however, admitting that it is introduced for the purpose of certain appointments?—Yes.

41116. In answer to question (42) you say "as to those who may be of mixed European and Indian descent, it is difficult to make any general suggestion; the course adopted may depend in each particular case on the requirements of the candidate." I should like to understand what it is that is in your mind?—I shall explain to you. In the case of those who are of unmixed European descent, they are only technically Natives of India. In my opinion, they are Europeans to all intents and purposes. Therefore, I say that they should spend their period of probation here. But in the case of those who are of mixed European and Indian descent, it may be that in the case of a particular person he may have to be sent home for probation, and in the case of another, he may have to stay out here. It very much depends upon particular candidates, their qualifications and temperaments, and their habits and mode of thought, and so forth.

41117. Would you not be subordinating the interests of the Service to individual peculiarities—subordinating public interest to individual interests in that matter?—It is in the public interest, in order to make a candidate qualify himself. When the question of probation arises, whether he is to spend it in India or in England, depends upon the fact which country will enable him to profit better by probation.

41118. (*Mr. Abdur Rahim.*) Apart from the question of the chance of any candidate belonging to any particular community to enter the Indian Civil Service, I should like to see if there is any very strong fixed opinion in the general public against Indian Civilians coming out at an immature age?—Yes.

41119. Does the general public opinion here favour men to come out here at a maturer age than those who come out here at a younger age?—Quite so.

41120. And that is on broad general grounds?—Yes.

41121. Apart from any question of the chances of Indians or Englishmen getting into the Service?—Quite so.

41122. You have been long connected with public movements?—For 20 years.

41123. And you have been connected with journalism and the only daily paper in this province, the *Beharee*?—Yes.

41124. So I asked you this question, because you would be in a position to know what the public opinion is on the point. You have been long at the Bar and I should like to know from your experience of the more important districts in this province, whether there are not proper materials for recruitment for the places of district and session judges in this province from the members of the Bar?—I think so. That is why I have urged it.

41125. You know the conditions of the Bar. Is the suggestion well founded in fact that those who are competent to hold these posts are in such a lucrative position that it would not be worth their while to accept them, and that those who would be willing to accept them are not men who are competent for the post? Is there any foundation for this suggestion?—I do not think so. I think it will be possible to obtain a sufficiently large number of Barristers and Vakils, Indians and Europeans, who would care to take up service and who are quite competent, the temptation in their case being that, after a certain number of years' service, they will get pension and some of them could rise to the High Court Bench.

41126. Another question that I should like to ask you is this: is the opinion of your province, Bihar, very decided as to the advisability of separating the Executive and Judicial functions?—That is the one question about which I may say all classes and communities are absolutely united.

41127. It has been suggested that the objection to the present system is more or less theoretical and not based on facts, and that the evil of the system is actually exaggerated?—If you will permit me,—I do not know if this particular document has been brought to the notice of the Commission,—I will read from a speech of Sir Harvey Adamson, the Home Member of the Government of India in Lord Minto's time. He is now Lieutenant-Governor of Burma. Speaking

in the Imperial Legislative Council as the Home Member, this is what he said :—" A deeper search reveals considerable dissatisfaction with the existing system. This is expressed chiefly in the reports of judicial officers, * * * In short, there is the unconscious bias in favour of a conviction entertained by the Magistrate who is responsible for the peace of the district, or by the Magistrate who is subordinate to that Magistrate and sees with his eyes. * * The inevitable result of the present system is that criminal trials, affecting the general peace of the district, are not always conducted in the atmosphere of cool impartiality which should pervade a court of justice. Nor does this completely define the evil, which lies not so much in what is done, as in what may be suspected to be done; for it is not enough that the administration of justice should be pure; it can never be the bed-rock of our rule, unless it is also above suspicion." Then he goes on to say " the combination of functions must inspire a distrust of the magistracy in all who have business with the courts. Can it be said that under such circumstances the combination tends to enhancement of the prestige and authority of the executive? Can any Government be strong whose administration of justice is not entirely above suspicion? The answer must be in the negative. The combination of functions in such a condition of society is a direct weakening of the prestige of the executive." That is what he spoke as a Member of the Government of India.

41128. Can you give me the date of that speech?—This is the speech of the Home Member of the Government of India as published in the *Gazette of India* of the 28th March 1908. May I add one word. Sir Harvey Adamson is one of the few officials who had been both the highest judicial officer and executive officer before he became the Home Member. He was the Chief Judge of Burma and spoke with the weight of his long experience. In the course of his speech he went on to foreshadow a scheme which the Government of India proposed to carry out, and it is five years since that we have not heard anything about it.

41129. I understand the opinion is very strong in the profession?—Very strong amongst all thinking classes.

41130. And in the profession?—In the profession also.

41131. Among all ranks of the profession?—Yes.

41132. Is there any difference of opinion, so far as you know?—Not at all.

41133. (*Sir Theodore Morison.*) Would you mind telling us the reasons for the answer which you gave just now that Indians desire Englishmen to come out here at a maturer age?—That is because those who come out at a maturer age are supposed to exercise greater discretion in the matter of dealing with Indians, either officers or gentlemen, than those who come out at a tender age.

41134. We have had a good deal of evidence before us to the effect that the Civilians who came out in old days were much more beloved, and one heard many glorious pictures of the old Civilian in contrast to the modern Civilian. Do you agree with it?—I have no personal experience. It may be like the dreams of a golden age that we read of in books. It may be that the Indians were then more amenable to the influences of the Civilian than they are now on account of the fact of their having become more assertive, as a result of their education and various other influences.

41135. Those people who had been so much loved and regretted came out at a younger age than now. You have a class of Civilians who come out at an older age?—A few years older.

41136. You do not propose that the age should be older than they come out at now? Do you desire them to come out older?—If they come at about 24 or 25, I shall be quite content.

41137. May I refer to your answer to Mr. Fisher? Do you value the culture of modern Europe?—I do very much indeed.

41138. I understood you in your answer to Mr. Fisher to say that you are quite willing that the present system of Indian education should be assimilated to that of England?—Not in all respects, but making provision for the maintenance of our own culture as embodied in Sanskrit, Arabic and Persian and without discarding it, and at the same time assimilating it as far as possible.

41139. I have just been looking at the marks assigned at the present moment at the competitive examination, and I find that in the linguistic side the highest marks are given for the study of Latin and Greek, and if Indians based their educational system upon what we give the highest marks for they would abandon the study of English, which I imagine you value very much?—That we value very much.

41140. And would take to the study of Latin and Greek if they wanted to secure the largest number of marks?—So far as that is concerned, Indians have their own Asiatic classical languages of Sanskrit and Arabic, and to some extent Persian and Pali. That being so, these will replace Latin and Greek, so far as Indians are concerned, as regards classical languages.

41141. As a medium of culture, but not so far as marks are concerned?—I suggest that the marks for Arabic and Sanskrit should be raised, so that they might equalise with Latin and Greek.

41142. They would still not remain under your system as an incentive to modern European studies, as the English system of education gives the greatest attention on the linguisitic side to the study of these two languages?—Naturally English education, I understand, has European classics, and therefore to Latin and Greek more importance is attached so far as that is concerned.

But in the case of Indian students, Arabic and Sanskrit are the classical languages.

41143. Where is your study of modern European culture going to come in, which, I understand, you value most and which does form the basis of the Indian University system?—English would remain and there would be modern European languages, German, French and Italian. I do not know if they are now prescribed, they used to be prescribed some time ago; and I would keep them as optional courses for a boy to take them up if he chooses.

41144. Under any system that you can work out, you will find that you will give much less encouragement to modern European culture and to science than your Indian Universities do?—I have not worked out the scheme. I will take it from you, if you say so.

41145. If that is so, I want to put to you again the question. Would it not be better to have a system of examination which reflected your own educational system than try to adapt your own system to the educational rig of Europe?—I am afraid I did not make it clear in reply to Mr. Fisher's question. This question can be looked at from two different points of view. Judged strictly from the point of view of the educational standard, the view that you are putting forward may be a very proper one, but in this matter, the Indian looks not so much from the point of view of a high standard of culture and educational progress, as from a practical consideration of securing a larger number of posts in the higher ranks of the public service in India; and from that point of view he would rather sacrifice the system of education, if it will enable him to secure a higher number of posts.

41146. How many would you secure under the most sanguine expectations?—Not many.

41147. About 10?—The number will increase and not decrease.

41148. For the sake of 10 boys, you are going to sacrifice the Indian educationl system?—In some cases, theory has to be sacrificed for practice.

41149. How many Indians secure very tolerable education under the present system and take their B.A.?—The number from all the Indian Universities?

41150. Yes?—500 to 1,000.

41151. More than that—it must be 2,000?—Yes, I am not sure.

41152. (*Mr. Maude.*) Have you any idea as to how many out of the total number of Indian students who go to England every year are prepared to go up for the Indian Civil Service? Have you ever ascertained anything about it?—The number of students in England is fairly large—about 2,000 or 1,500.

41153. Out of the many that go home, how many go up every year for the Indian Civil Service Examination, roughly speaking?—Not more than a dozen or half a dozen.

41154. Not more than 200 to 300 go to England?—Yes.

41155. Do you think that there is any connection between the small number that go for the Indian Civil Service Examination and the age-limit fixed for that examination. I am speaking with reference to your answer to question (13), where you say that the present age-limit ought to be retained. Do you think that there is any connection between the two?—Yes. Since the last few years, only those Indians who go after taking their degree here, are supposed to have a better chance than those who go without taking the degree. As it is impossible for an Indian student to leave India before 20 or 21, if he has to leave after taking his degree, and unless he gets 2 or 3 years in England, he is not generally a success, I am, therefore, in favour of the present age-limit being retained at 25.

41156. You do not think that, if the age was lowered, out of the total number of students that will go to England, there will be a larger number who would be able to go up for the Indian Civil Service?—I do not think so.

41157. If you are not able to get the simultaneous examinations, have you heard the suggestion as an alternative of scholarships being held in England, and of a College out here in which boys would be trained from 13 to 15 and then sent to England more or less under Government regulations for the purpose of appearing for that examination?—I have heard something and seen in the papers that a suggestion to that effect was made here.

41158. What I want to know is: would you prefer the scholarships system and the college, if you fail to obtain the simultaneous examination?—I prefer the scholarships system, as it will enable the Indian students to go to England and read there in a school or a college and then appear for the open competitive examination.

41159. Why do you prefer that system? Do you think that the study for extra years at Home affords particularly good training?—I do think even now that if the Indian student does not fall into bad ways and habits in England, but is looked after fairly properly, he will certainly derive much greater advantage by his study in England than he would do in India.

41160. I would refer you to your answer to question (54) in which you say that all classes and communities of the province are not duly represented in the Provincial Service; and as a remedy you suggest that the best course would be the recruitment by open competition for all posts in the Provincial Service. I take it by open competition you do not really mean open competition, but open competition among the residents of the province?—Yes, quite so.

41161. What do you mean by classes and communities?—There is no finality as to classes and communities in a country like India, where a large percentage of population is uneducated and below the surface. As they come up in course of time, naturally there will be enlargement in the scope of classes and communities. When I speak of classes and communities, I mean

classes and communities from whom the Service can be recruited.

41162. You do not mean any restriction as to Muhammadans, Hindus, etc ?—That term is employed to include Muhammadans, Christians, Hindus, Parsees, and Buddhists, and it will also include zamindars, middle classes and land-holding classes. That expression is vaguely employed.

41163. By classes you include all sorts and conditions of men ?—Not quite that. There are classes which furnish at the present moment men for public offices and Government services.

41164. I do not quite understand you. I will give you an instance. Take Bhumihars. Have they ever been able to secure representation in the Service ?—I do not know.

41165. Do you know that that is a class that should be specially encouraged ?—If a proper candidate is available, I shall be glad to give him preference over a Kayastha.

41166. Do you think that the system of open competition would enable that class to be represented ?—Quite so. If in the open competition Bhumihar candidates will come and compete and suppose you require four candidates for appointments, you take three from the top and then go down the list till you get a Bhumihar, and you take that Bhumihar who stands first in the list.

41167. Then what you advocate is not open competition ?—Not technically.

41168. But the selection of the best men from all the different classes ?—Up to a certain point it will be strictly open competition, and then you go down the list for the representation of particular classes.

41169. Are you in favour of merging the subordinate Civil Service with the Provincial Civil Service ?—Yes, completely. I have said so.

41170. If that is done, then would you start with the present lowest grade of the Provincial Service or with any other grade of the Subordinate Civil Service ?—With the lowest grade of the Provincial Service. No doubt it will add to the expenditure, but I do not mind it.

41171. (*Mr. Datta.*) In reply to question (63) about superannuation pensions you say, "I am not in a position for want of knowledge of the subject to express any opinion." I shall give you facts and I will ask for your opinion ?—I do not profess to be an expert on the point. (*Chairman.*) There is no use putting that question if Mr. Sinha is not in a position to answer it.

41172. How long were you at the Bar ?—For 20 years.

41173. Do you think that the decisions of Indian Munsifs and Sub-Judges on facts and law are generally satisfactory ?—Very satisfactory.

41174. What do you think of their decisions as compared with those of European District Judges ?—In regard to that matter I need not give my own opinion. The Lord Chancellor Selbourne, speaking in the House of Lords, said that the decisions of the Indian Judicial Officers were on the whole better than those of the European officers. That was 30 years ago.

41175. Is that your opinion also ?—Yes.

41176. Do you not think that the delay in the disposal of cases is due to the fact that the officers are overworked ?—Quite so. I have said so in reply to a question from Sir Murray Hammick.

41177. As a necessary consequence, do you not think that no amount of supervision or goading would mend matters, unless the Service is properly manned ?—That is my view.

41178. Some increase in the staff is absolutely required for the speedy disposal ?—Yes.

41179. (*Mr. Hussain.*) You say in answer to question (60) that you advocate a time-scale of pay up to Rs. 600 and beyond that I suppose you will have selection ?—That is what I imply.

41180. Will you be prepared to modify your opinion if I assure you that the wholesale system of promotion by time-scale of pay was tried in the Opium Department with very good results ?—Up to the highest grade ?

41181. Yes; subject always to approved services. In fact every increment in a Government office in a ministerial post is always given subject to that reservation. If you are assured of the precedent of the Opium Department, in which the system was tried with very good results up to the highest grade, would you be prepared to modify your answer and say that it may be extended to all the grades ?—Yes, I will do so.

41182. Of your profession you say you had experience of 20 years ?—I have had 20 years' experience of the Bar and of public life.

41183. So that you have seen the work of Deputy Magistrates ?—Of course I have. I have been practising before them all my life.

41184. Do you think that your proposal to increase the pay of listed posts is justified by the experience and abilities of these officers ?—I say so. I say "regard being had to good work done."

41185. As regards ability ?—By good work, I do not mean goodness of heart, but ability.

41186. Administrative ability for the posts that you advocate should be thrown open to them ?—Yes.

41187. You know the class of officers known as Superintendent of Police ?—Yes.

41188. Do you not think that the work of a Deputy Magistrate is as arduous as, and requires greater abilities than, that of Superintendents of Police ?—A great deal more arduous.

41189. Do you not think that the Deputy Magistrates should rise to the grade of the Superintendents—Rs. 1,200 ?—In regard to pay you mean ?

41190. Yes ?—I have no objection, if the Government would give it.

41191. Do you consider it fair ?—I personally consider it fair.

(The witness withdrew.)

J. V. JAMESON, Esq., Representative of the Bihar Planters' Association.

Written answers relating to the Indian Civil Service.

41192 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I consider it generally satisfactory in principle, that the method of recruitment should be by means of an open competitive examination in England, but consider the present system might be modified as suggested in my reply to question (2). This and all subsequent replies refer to the Civil Service as a whole, except where either branch is specially mentioned.

41193 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—I consider that more attention should be paid to other qualities than the ability to pass an examination. I believe this result could best be obtained by compelling every candidate to get a nomination from a selection board at any time after he has reached the age of 18 years, before he is allowed to enter for the competitive examination. The selection board should chiefly take into consideration the candidate's character, personality, and physical fitness. Candidates successful in the competitive examination should spend one year on probation in India, in a Special Training College, and should be compelled to pass a qualifying examination on passing out in such subjects as Law and vernacular languages. On passing out of the Training College members of the Indian Civil Service should immediately be paid at the rate of not less than Rs. 500 per month. After four years' service the Local Government should be empowered to dispense with the services of any member of the Indian Civil Service without assigning any special reason, on payment of an annuity or lump sum in compensation. Every candidate should pass at least three years at a British University approved by the Indian Civil Service Commissioners before entering for the competitive examination, and a certain number of scholarships might be given by the Indian Government to selected candidates.

41194 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The suggestion in answer to question (2) would make the system equally suitable for Natives of India and all other natural-born British subjects.

41195 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—The combination of the two examinations is on the whole advantageous, as it tends to attract a larger number of candidates.

41196 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I would disapprove of simultaneous examinations, as I consider that the administration should be carried on in accordance with British traditions, principles, and ideals, and that the best general way of ensuring this is to insist on all candidates for the Indian Civil Service having had a British University education.

41197 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I consider that the suggestions made in answer to question (2) would be the best practical method of recruitment for the Indian Civil Service, and that appointments to it should not be made by any other means.

41198 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular, do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—See replies to questions (2) and (7). I do not consider that any class or community, as such, has any claim to appointments in the Indian Civil Service.

41199 (11). Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—No. I consider it essential that all judicial officers should have had executive experience.

41200 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European decent? If not, state fully any proposals that you wish to make in regard to this matter?—The present definition appears to be the best for practical purposes.

41201 (13). If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons?—The same as at present, because by lowering the age-limit candidates would be admitted of less matured character, and it is not advisable that they should start administrative duties at an earlier age than at present. By heightening the age-limit the number of candidates would be greatly reduced, and their number of years of possible active service lessened

41202 (14). What in your opinion is the most suitable age at which junior Civilians recruited in England should commence their official duties in India?—About 24 or 25.

41203 (15). What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India, and for other natural-born subjects of His Majesty?—I would recommend no differentiation.

41204 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—I have no suggestions to make.

41205 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—I would recommend no differentiation.

41206 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—I do not consider that any posts outside the ordinary administrative service should of necessity be reserved for members of the Indian Civil Service.

41207 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—I consider it essential that all the highest executive posts should be held by Europeans. I consider it inadvisable to fix any exact proportion as to the numbers of Europeans and Natives of India in the Indian Civil Service.

41208 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—No.

41209 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province, would you advise its re-introduction, or introduction, as the case may be, and if the system should be introduced, or re-introduced, to what extent, in your opinion, should it be adopted?—I should consider its introduction unnecessary.

41210 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—I consider the present system satisfactory.

41211 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one quarter of the listed posts?—I would prefer to leave the selection to the Local Government, and not to make any fixed rule as to the proportion.

41212 (26). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—Yes.

41213 (27). Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—I would not suggest any alteration.

41214 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—Yes. Also see reply to question (2).

41215 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—I would recommend no differentiation.

41216 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—In India for all probationers.

41217 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—Yes.

41218 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—At one centre for all.

41219 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—I would recommend no alteration.

41220 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I do not think there has been any deterioration. The more time a junior civilian can spend in camp and in learning the details of executive work, and the less time he is compelled to spend at routine clerical work, the better will be his knowledge of the vernacular.

41221 (38). Do you recommend any special course of study in law in India for officers selected for the judicial branch?—I consider that officers appointed to the judicial branch should have to make a special study of Indian Law, but make no suggestions as to details.

41222 (39). Do you recommend any special training in subordinate judicial posts in India for officers selected for the judicial branch? If so, please give details.?—No.

41223 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No differentiation necessary.

41224 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India, as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No differentiation.

41225 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—Yes.

Written answers relating to the Provincial Civil Service.

41226 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—Yes.

41227 (57). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—I would not recommend any change.

41228 (58). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—Yes.

41229 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes.

41230 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service?—If not, what rates do you suggest for the various appointments?—Yes.

MR. J. V. JAMESON, called and examined.

41231. (*Chairman.*) You appear as the representative of the Bihar Planters' Association?—Yes.

41232. You therefore come before us in the same capacity as Mr. Filgate?—Slightly different. Mr. Filgate was called as our Secretary by the Commission to give evidence; and the Committee of the Association thought that as Mr. Filgate had not been an active planter for a good many years, they would like that some actual planter should come and give oral evidence, who would be in a position to speak with more authority about the ryots and the agricultural population.

41233. Then you are here as representing those who are in active occupation?—Yes.

41234. Mr. Filgate gave answers to the questions about your Association and I need not therefore put them to you. The statement handed in this morning is more or less an elaboration or an explanation of your written answers?—Yes.

41235. Have these answers and the statement been passed at a meeting of the members of the Association or were they drawn up by a Committee?—Drawn up by a Committee.

41236. Your paper states that the population in the planters' district is a very primitive one, uneducated and largely inarticulate?—Yes.

41237. I gather that in such districts as yours, as a general rule, you prefer a European being in control of the district, to an Indian?—Yes.

41238. And further you would like to have Europeans who have had training at an English public school?—Yes.

41239. You regard as important for the administration of the Indian Civil Service, the training that is given to a boy at an English public school?—What we say is that that is the class of men that make the best Civil Servants.

41240. Am I to gather from that, that you would favour a scheme for giving facilities to Indians to go to England and be educated at a public school prior to going up for examination?—If possible. In talking it over, we thought it impracticable, and we thought it more or less a counsel of perfection. Therefore, we limited our ideas to the University course.

41241. You do not advocate it because you do not think that it is a workable scheme?—I do not think that it is a workable scheme.

41242. Your scheme, as I understand it, is for some board to inspect all candidates at the age of 18?—At any time after 18.

41243. In what way would that board be constituted?—I should say, in the first place, a majority of Europeans, representatives of the Indian Civil Service, and Native members of the Civil Service, and any leading Indian—men with experience of education.

41244. If Indians should desire to enter the examination in London, would you ask them to go before a Board at Home or would they have to go before a Board in India?—There should be a Board in India capable of giving them advice.

41245. Would you retain the same age-limit for the examination, 22—24?—Yes.

41246. So that a boy could come before this board between the ages of 18 and 22?—Yes

41247. Having passed the examination successfully, he would then proceed forthwith to a central College in India ?—Yes.

41248. You do not suggest that he should have a University course ?—Yes. The University course is a condition of his being allowed to go up for the examination at all.

41249. In which question is it you deal with it ?—In answer to question (2).

41250. He passes through the University course, then he passes the examination at 22, and then he comes straight out to India ?—Yes.

41251. Both the European and the Indian would live for a year in this College ?—Yes.

41252. You say that, at the expiration of that time, if not deemed satisfactory, a candidate could be expelled ?—We suggest one more year, if he could not pass a moderate qualifying examination in the first year.

41253. The question of his exclusion you say should be entirely left to the discretion of the Government ?—Yes.

41254. They need not give any reasons for saying that the candidate is not to be continued in service ?—Our suggestion is that after four years' service the Government may be empowered to remove a man; or if he failed to pass a qualifying examination, at the end of two years.

41255. That is at any time during the first four years ?—At the end of four years.

41256. He should be compulsorily retired, if regarded as unsuitable ?—Yes.

41257. Do you suggest any further facilities for the admission of Indians into the Indian Civil Service ?—We suggest that scholarships should be given by the Indian Government to select candidates.

41258. How many of such scholarships would you suggest ?—I could not exactly suggest how many. I take it that if anybody who secured nomination by this selection board proved that he was an exceptionally good man, and that he could not undergo the University course at Home, it would be within the discretion of the Board, or some other authority nominating him, to recommend him for the scholarship.

41259. You leave it open ?—I would not fix the exact number.

41260. There will have to be some limit as to the number ?—The Government of India could fix the number from what they could afford.

41261. As regards the central College in India, what is the particular reason that has influenced you and your Association in proposing this College ?—The idea was that it would enable the passed members of the Indian Civil Service to know one another better, both Indians and Europeans, and generally to foster *esprit de corps* and rub off rough angles against one another, and to appreciate one another better to start with.

41262. Do you think that they would get a better form of training when acquiring a knowledge of Indian conditions and Indian characteristics, by means of this College, than by going out into the districts under a competent officer ?—That was not meant to be substituted. That was instead of one year's training at Home. Let them learn the vernacular languages of the province and the law at the College in India instead of at Home.

41263. It has been represented to us very largely by witnesses that the year of probation which at present exists is practically useless on account of its short duration ?—I do not quite understand it. Why do they want longer training ? Is it because the present training is not long enough ? We should certainly see passed candidates going out into the districts.

41264. You only suggest one year ?—Yes.

41265. In that year, you will expect these candidates to have training in Law and in Vernaculars ?—Yes.

41266. Do you not think that a probation period of that length will be too short to acquire the requisite amount of training in those two important subjects ?—I believe it will be the beginning of the training, and the rest of it will have to be acquired as an Assistant Magistrate when he goes out into the district.

41267. The great expense entailed by the institution of a College of this character would not be justified by the amount of training that would be attained on the part of candidates in so short a period as one year ?—The idea was to start the training and to foster *esprit de corps* and enable them to know one another.

41268. That is the main object you have in your mind in proposing this College ?—Yes.

41269. You think that it is all-important that those who are to join the Service should have an opportunity of coming together; and not only all Europeans, but Europeans and Indians ?—Yes, both.

41270. Do you, in your experience of your district, find that the officers are, to any appreciable extent, over-worked ?—I think they are.

41271. Which department would you say from your own observation is most heavily worked —the executive or the judicial ?—The executive, especially the Collector himself.

41272. In what way is the Collector overworked ?—I cannot give the details. He always seems to have a tremendous lot of clerical work to do. Whenever you see him if he has been out camping, and if at any time the mail has not caught him up, he has always got large files of arrears to get through; and as soon as he comes back to head-quarters, there is a large amount of various kinds of routine work awaiting him.

41273. (*Sir Theodore Morison.*) Are you in favour of the separation of judicial and executive functions ?—Not any more than they are now.

41274. (*Mr. Abdur Rahim.*) I understand that your Association would not exclude Indians from the Indian Civil Service or see their admission reduced, simply on the ground that they are Indians ?—No.

41275. I suppose you are desirous of securing the best Indians for the Indian Civil Service, if possible ?—The best men of every nationality.

41276. I suppose that your Association would not regard with particular favour any feature of a given scheme which has the tendency to exclude Indians ?—They have suggested a scheme which they consider would be fair to both.

41277. That factor would not weigh with them, more than the necessity of securing the best men ?—No.

41278. The fact that any particular feature of a scheme would exclude Indians would not appeal to them as a good ground for favouring that scheme ?—No. Not necessarily.

41279. That is what I thought. Can you tell me to what extent the judicial and executive functions are combined, or what is exactly your experience of it ?—As far as I know, Deputy Magistrates, Joint Magistrates and Collectors always exercise both functions. The District Judge and the Collector are always divided.

41280. What functions ?—All judicial functions—trying cases.

41281. What cases ?—Criminal cases.

41282. Joint Magistrates and Deputy Collectors try criminal cases ?—Yes.

41283. How is it combined with executive functions ?—They also do executive work.

41284. What is the executive work ?—Collecting revenue. We all know what the ordinary duties of an executive officer are.

41285. Do you know what bearing the collection of revenue has on the trial of criminal cases ?—I cannot say.

41286. I do not suppose that you are familiar with your system ?—We have stated it in our answer.

41287. You yourself are not in a position to answer any question on that matter ?—No.

41288. You really do not know what the system is—what is the good or the evil of the system ?—Which system ?

41289. The combined system ?—It is difficult to answer a very general question like that.

41290. I see that your Association has given the opinion that it is necessary for the judicial officers to have executive experience. You know that judicial officers try civil disputes ?—Yes.

41291. What has executive experience got to do with civil disputes ? I have asked you already about criminal cases ?—I think the more a Judge knows about the people and the conditions of life, the more is he likely to arrive at correct conclusions.

41292. Is this opinion based on the fact that executive experience enables a man to know the people ?—Yes.

41293. Is there any other ground ?—That is the principal ground, so far as I know.

41294. Is there any other possible means of knowing the people ?—To a Civilian it appears to be the only means.

41295. For a Civilian it is the only means—quite so. For other people ?—For instance, what are the other people ?

41296. Any of us ; yourself and myself ?—We have different kinds of work to do,—you and I.

41297. We can know the people without doing any executive work. I suppose you know the people ?—Because I am brought into very close touch with them.

41298. Take the Indians. I suppose they know their own people ?—Not necessarily.

41299. Is it the opinion of your Association that executive experience is necessary for all people to know the people of the country ?—Not for all people.

41300. For Civilians as you say ?—And for Judges in general. It is advisable.

41301. Will you tell me in what particular way he comes to know the people better than the men practising in courts ?—It seems to me that the man, for instance, in a subdivision, who has been continually camping about for several years amongst the people, is very likely to have unofficially settled many disputes and got more into touch with the people than a Barrister or a Pleader would be in practising before Courts.

41302. I suppose people in houses surrounded by their own people and in communication with them know what their disputes are ; they know what is happening all round among their own neighbours and among their families. Would not a man like that be in as good a position as, or in a far better position than, an officer living in camp to know the people ?—Not necessarily.

41303. Do you know at all how Barristers and Pleaders get their instructions in conducting cases or what is the nature of the instructions they get ?—A Barrister is, I presume, instructed by a Solicitor.

41304. Not necessarily ?—By a Mukhtear.

41305. Or a Pleader ?—Yes.

41306. A Pleader is instructed by his client ?—Yes.

41307. Would he not know the people in that way ?—I would not call it knowing the people. A man goes to a Pleader when he wants him to run a case for him. That is not knowing the people thoroughly.

41308. The opinion of your Association is that an executive officer knows the people better than a man living in this country as one of them ?—Possibly.

(Adjourned for a short time.)

41309. (*Mr. Madge.*) You speak the vernacular, of course ?—Yes.

41310. And are well understood by the class of ryot that you move about amongst ?—Yes.

41311. Do you speak to them generally about Government or Law cases and things of that kind ?—I have occasion to speak about their cases a good deal.

41312. Do they express any dissatisfaction about the trial of their cases, either about the officials who try them or the system by which they are tried ?—They always try and get their case put on the file of a European Magistrate if they can.

41313. Do you move about much in your district ?—Yes.

41314. What extent of country do you cover ?—The land actually under lease to myself is about fifty square miles.

41315. And you move about freely ?—Yes.

41316. Is the rest of Tirhut and thereabouts composed of much the same class of people ?—Yes. I have been practically all over Champaran at different times.

41317. So far as the opinions you have expressed relate to the agriculturists, you think they would be upheld by that class of people ?—Certainly.

41318. (*Mr. Chaubal.*) When an accused person is brought up and says he wishes to be tried by a European Magistrate and not by an Indian Magistrate, is it due to the feeling that the man has a better chance of acquittal before a European Magistrate ?—I did not mean it in that way.

41319. Have you tried to ascertain what is the feeling in their minds when they express that desire ?—The special cases I was thinking of were not so much actual criminal cases in which the accused are punished, but mere disputes that come before the Criminal Courts, especially with regard to land.

41320. Is there any desire amongst accused persons that they should be tried by a European Magistrate rather than by an Indian, and if so, do you know whether that desire is due to a calculation of the chances of acquittal ?—No. It appears to me mostly to be because they thought the Indian Magistrate would be prejudiced on one side or the other, either from religion, or race, or something like that.

41321. A fear has been expressed in some directions that Indian Magistrates convict more often than European Magistrates do, and that is why I asked the question ?—The cases I was thinking of were cases that come before the smaller Criminal Courts and might be rather termed disputes; not criminal cases in which a man is punished.

41322. (*Mr. Datta.*) As the representative of the Bihar Planters' Association, have you had occasion to sue or be sued in the local Civil Courts ?—Yes.

41323. Do you think that the decisions of Indian Munsifs and Sub-Judges are generally satisfactory on fact and Law ?—My personal experience is too small for me to form an opinion.

41324. In answer to question (61) you approve of two-thirds pay for listed posts ?—Yes.

41325. Do you know the pay of a third grade District Judge, European, in the Indian Civil Service ?—As far as I remember, it is about Rs. 1,350.

41326. It is Rs. 2,000. Do you know the listed pay of the third grade Indian District Judge ?—I suppose it is two-thirds.

41327. It ought to be two-thirds, but it is not ?—I do not know the exact figure. I was only going on the idea that the members of the regular Civil Service as a rule have more expenses.

41328. There is no doubt about that ?—That is what I understood to be the meaning of the question, simply as a general rule.

41329. As a fact have not also the Indians to keep up the prestige and the traditions of the European Judges ?—I think it is a fact that they do not live in such an expensive way.

41330. Should it not be three-fourths ?—I do not feel called upon to express what should be the exact amount. I took this question as meaning generally that the officers of the Provincial Civil Service should not have exactly the full amount because they did not live as a rule quite in such an expensive way.

41331. (*Mr. Hussain.*) You propose no alteration with regard to the listed posts open to the Provincial Civil Service, so that I take it you think the present arrangement and the present description of posts are suitable, and that no alterations are needed ?—Yes, as far as I know.

41332. Do you know what the listed posts are ?—As far as I remember, there are four posts of the rank of Collector or Commissioner.

41333. What idea had you in your mind when you recorded your answer to question (27) ? There is one post of Commissioner ?—Yes, and as far as I remember four equivalent to a Collector. Four listed posts in the senior ranks.

41334. One Commissioner and four Collectorships ?—Yes. It is not the number of posts exactly, but the usual practice, as far as I have seen from experience, is that such posts as Commissioner of Excise, outside the executive posts, are kept open for the Provincial Civil Service.

41335. I think you had in your mind that even a Commissionership is open as one of the listed appointments ?—Or a post of that rank.

41336. Commissionership of a division ?—Not an actual Commissionership. I do not remember any appointment to one personally.

41337. All appointments need not be filled up as open to the Provincial Service ?—Posts equal to the rank of Commissioner.

41338. You take that as one of the listed posts that should be open to members of the Provincial Service ?—I did not say the post of a Commissioner, but a post equivalent to the rank of a Commissioner.

41339. You had that in mind when you said that the present arrangement of listed posts was suitable ?—Yes.

(The witness withdrew.)

KHAN BAHADUR SAIYID FAKHR-UD-DIN.

Written answers relating to the Indian Civil Service.

41340 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The system of recruitment by open competitive examination is satisfactory and sound in general principle, but there are defects in detail as will appear from answer to question (2).

41341 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—At present the competitive examination is held only in England. Many an intellectual and energetic Indian quite fit to compete at the examination is unable to do so for want of sufficient means. I know that for some time to come there may not be many Indians able to compete with the Europeans even if the system of simultaneous examination is introduced in India, as there will be practical difficulty in training the candidates up to the standard. But this will give impetus to the future generation, and it is expected that within a few years India will be able to return a sufficient number of successful candidates. I should also submit that in selecting people for the administration of the country, competition should not be the only test. The character of the man and social position of the family should play an important part. I should therefore suggest that strict proof of respectability and character ought to be produced by the candidate before he is allowed to appear at the competitive examination. In simultaneous examination some difficulties might be pointed out as regards *vivâ voce* examination. I should like to suggest that the system of *vivâ voce* examination should be abolished altogether and, if this suggestion be not accepted, I should like to suggest in the alternative that questions be settled beforehand by means of correspondence. The introduction of the system of simultaneous examination will remove the discontent prevailing in the country and will satisfy the legitimate aspirations of the people. The Muhammadans, however, are afraid that by pure competitive simultaneous examination held in England and India their interests might be prejudiced for some time to come. It may be therefore desirable that the recruitment be made by combined examination and nomination. A certain percentage of services should be reserved for nomination. But the nomination should not be made from outside. It should be confined to the candidates appearing at the competitive examination. If any important community is not fully represented in the Indian Civil Service by competitive test, selection should be made from the candidates of that particular community. Such candidates should have obtained highest marks next to those selected in order of merit.

41342 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The answer is covered by my answer to question (2).

41343 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—There is a general feeling that natural-born subjects of His Majesty residing in Colonies should not enter the Indian Civil Service on account of their intolerance towards Asiatic people. In no other respects the combination of competitive examination seems disadvantageous.

41344 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—The answer to question (2) covers the answer to this question.

41345 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I have already answered; I am in favour of simultaneous examination.

41346 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—No separate examination should be held in India, for that would lower the status of the Service.

41347 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I am in favour of simultaneous examination. But in order to safeguard the interests of important communities, the system of combined examination and nomination should be resorted to for the purpose of recruitment. Only a certain number of vacancies should be reserved to be filled up by nomination. If any important community is not represented in the Indian Civil Service by the competitive test, the unsuccessful candidate of that particular community who stands highest in the list of unsuccessful candidates of that particular community should be selected for such vacancies. I would desire that all communities should be represented as far as practicable in the Indian Civil Service. But at the same time I do not propose that this should be done at the risk of efficiency.

41348 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—In the

system of appointment by combined nomination and examination there seems to be no objection to the Natives of India getting appointment in England.

41349 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—I am entirely in favour of promotion to the listed posts. Even in case of simultaneous examination being allowed to be held in India, there will be hardly any chance for at least a quarter of a century to get a sufficient number of successful Indians. Hence it seems desirable to retain the system of promotion to the listed posts. If my information is correct, there are only 47 Provincial Civil Servants in the Indian Civil Service, which is much less than even one-sixth of the total appointments for members of the Indian Civil Service. In this respect my own Province of Bihar and Orissa is at a great disadvantage. Only six vacancies are reserved as the listed posts for this Province. This is most disappointing to the members of the Provincial Civil Service. I wish there should be a wider expansion of such posts.

41350 (11). Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—I am not in favour of the appointment of the members of the Indian Civil Service in the Judicial Branch of that Service. A member of the Indian Civil Service working for a short time first as an Assistant Magistrate and then as a Joint Magistrate is at once made the District and Session Judge. Being ignorant of Civil Law, he sits in appeal upon the judgments of Munsifs or Subordinate Judges of vast knowledge of Civil Law, and authorities with vast experience. This is entirely unsatisfactory. My first proposal is that the members of the Indian Civil Service should be reserved for the Executive branch only. The Judicial officers should be taken from the Bar. My alternative proposal is that the members of the Indian Civil Service, after completing their probationary period, should be asked to choose the branch of Service to which they wish to stick for the term of their service, and those selecting the Judicial branch should be trained from the very beginning in Civil work, especially in trying original suits. But even in the system of recruitment a considerable percentage of the Judicial appointments should be filled up by the members of the Bar.

41351 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict. c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—I do not propose any change.

41352 (13). If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—The age limit should be 23 years. A student cannot appear at the Matriculation examination of the Calcutta University before he completes his 16th year. He cannot even under the brightest condition of his career obtain the B. A. degree before he completes 20 years. Hence he cannot be ready for the Civil Service examination before he completes his 21st year, and then it is fair that he should get two chances for that examination.

41353 (14). What, in your opinion, is the most suitable age at which junior Civilians recruited in England should commence their official duties in India?—At the age of 25, and not before.

41354 (15). What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India and for other natural-born subjects of His Majesty?—I do not propose any differentiation in age limit between the Natives of India and for other natural-born subjects of His Majesty.

41355 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—I would recommend that Greek, Latin, French and German be eliminated. But if it be impossible or impracticable to do so, I should suggest that Pali and Persian should be included. I am informed that Europeans, as a rule, take up Latin, Greek, etc. Now if Pali and Persian will be introduced, the Indians will be able to take up either Sanskrit and Persian, or Sanskrit and Pali, or Arabic and Persian. The marks for Arabic and Sanskrit should be the same as those prescribed for Latin and Greek.

41356 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—No.

41357 (18). Do you consider it necessary that certain posts should be reserved by Statute for officers recruited to the Indian Civil Service and, if so, what posts, and for what reasons?—The District Judgeship and Secretaryship should be eliminated from the scheduled appointments, and the number of listed appointments is at present only $\frac{1}{6}$th; this should be raised to $\frac{1}{4}$th.

41358 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service Cadre do you consider that Natives of India might under present conditions properly be admitted?—I do not think that it is necessary to fix a minimum proportion for European subjects of His Majesty in the Indian Civil Service, as it is not likely that Indians will be able to swamp

a large number of posts in the Indian Civil Service for at least 30 years.

41359 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service Cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—No. I have already indicated my view.

41360 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—No.

41361 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service Cadre has been stopped or has never existed in your Province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—So far as my information goes, there are no military officers in the posts of Indian Civil Service in this Province, and I do not wish that they ought to get such posts.

41362 (25). Are you satisfied with the present rule which prescribes that Natives of India other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one-quarter of the listed posts?—No.

41363 (26). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—No; for there is no practical advantage.

41364 (27). Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—The class of listed posts is not suitable: some higher posts, as those of Commissioners and Secretaries, should also be included in the class of listed posts.

41365 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—Certainly.

41366 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—In my opinion there should be a probation of at least two years. The course of study during probation should be History of India (Hindu and Muhammadan period), History of England, Hindu and Muhammadan Law, the Procedure Code of India, other law books, and study of works by attending courts. But over and above this the successful European candidates should be made to learn Indian languages. The Indians ought to learn the customs and manners of Europe, while the Europeans ought to learn the customs and manners of India. I would therefore propose that in case of simultaneous examination the successful Indian candidate should be sent to England, and the European candidate should be sent to India, to undergo the probation for at least two years.

41367 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—I do not think that it will be necessary to start a college for the training of probationers of the Indian Civil Service. They are required to have more of practical knowledge than of theoretical knowledge.

41368 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—No.

41369 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—Certainly not. At present he sometimes attends the Court of Sessions Judge, and takes down notes only; this is highly unsatisfactory. During the period of probation he should work with some Barristers and Vakils of great renown. He should mix freely with the Indians. I have already sufficiently indicated the change proposed by me.

41370 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages and, if not, how could this best be remedied?—Most of the European officers did not possess knowledge of Indian languages. Those who did possess some knowledge of vernaculars of India have lost it on account of their keeping aloof from the Indians. They never attain to an adequate proficiency in the study of the Indian languages. There are exceptions as well. But the number of such exceptions is very small. The European Civilians should not only study the Indian languages, but should also be made to mix freely with the Indian fellow-subjects.

41371 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch?—As to the Executive branch of the Indian Civil Service, the elementary principles of law which are necessary for the administrative works should be included in their Departmental Examination. As to the Judicial branch of the Service my proposal is that the officers should not be taken from the members of the Indian Civil Service, and if they are taken at all from amongs the members of the Indian Civil Service they will have to be trained from the very beginning, and only those who will display a fair knowledge of law in deciding Civil cases will get their promotin.

41372 (38). Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—They should work as a Munsif for a short time; then as a Subordinate Judge, and then they should be promoted to the Judgeship.

41373 (39). Do you recommend any special training in Subordinate Judicial posts in India for officers selected for the Judicial branch? If so, please give details?—The works of Subordinate Judicial posts are always of a civil nature; officers of Subordinate Judicial posts should be specially trained for Criminal works; selected officers, including the Munsifs, should be vested with the powers of trying Criminal cases.

41374 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No.

41375 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No.

41376 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the Service?—They ought to be equally treated in the matter of pay.

41377 (49). Have you any proposals to make in regard to the leave rules applicable to Statutory Civilians, and to members of the Provincial Civil Services holding listed posts? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—I have got no proposals to make. I do not think it desirable to have separate sets of rules.

Written answers relating to the Provincial Civil Service.

41378 (51). Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—I would make the following recommendations:—*I.—Executive Branch.*—(*i*) Appointments should be made by combined examination and nomination; (*ii*) two-thirds of the declared vacancies should be given to the competitors, and the remaining one-third should be filled up by nomination; (*iii*) in such nomination regard should be had to the adequate representation of any important community or communities of the Province; (*iv*) such nomination should not be made from outside—it should be strictly confined to those candidates who have secured next highest marks amongst the candidates of any such community whose representation has been inadequate by the competitive test; (*v*) in every case candidates should be required to give strict proof of the respectability and the social position of his family, of his moral character and physical fitness; (*vi*) educational qualification should in no case be less than the degree of Bachelor in Arts; (*vii*) the age limit should be raised from 25 to 27 years. *II.—Judicial Branch.*—(*i*) The rule that no Pleader, Barrister, or Advocate should be eligible for appointment unless he has actually practised for three years should be relaxed, and the term should be reduced to one year; (*ii*) the appointment should be made from amongst the members of the Bar; (*iii*) due regard should be had to the representation of different communities of the Province; (*iv*) the age limit should be 29 years if proposal No. (*i*) be accepted; (*v*) higher grade service in the Judicial Branch of the Provincial Civil Service should also be given to the practising pleaders or barristers of experience without regard to their age; (*vi*) in rule VIII pleaders enrolled in any High Court but practising in Mufassal courts should also be included.

41379 (83). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the Province to which it belongs?—Yes.

41380 (55). Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections and what other arrangements you recommend?—So far as the Executive Branch of the Provincial Service is concerned, one year's probation is quite enough. The pay for the probationary period is too small, regard being had to the change in the mode of living and the rise of market prices of all commodities. During the probationary period an officer should be deputed to work as an Assistant to the senior officers of that branch of the Service. In the Judicial branch of the Service the probationary period is very large. After passing the B. L. Examination a candidate for the Judicial Service has to practise as a pleader for three years, after which he becomes entitled to get himself enrolled in the High Court for a Munsifship. Then he has to officiate for broken periods in different places for at least three years before he could expect his confirmation. This arrangement is most unsatisfactory. Firstly, he has to wait for a long time for confirmation; secondly, after officiating for broken periods he has to revert to his own practice, but on account of break in his practice he loses all his clients; and thirdly, he neither gets any pay for the time he is not doing officiating works nor those periods are taken into account in his pension. I would suggest that the term of three years' practice should be cut down to one year. After enrolment, when he gets first appointment, he should continue in service till he is confirmed. After being relieved of his officiating appointments he should not be made to revert to his practice—he should be employed in inspecting offices and supervising the works of ministerial officers. It is highly desirable that in each district head-quarters two or three probationary Munsifs should be attached to the office of the District Judge, and during the probationary period he should get Rs. 150 a month, and where any vacancy occurs on account of the permanent incumbent taking leave, he should be employed to officiate, and for such periods he

should be allowed to draw one-third of the officiating pay in addition to his own pay of Rs. 150.

41381 (56). Do you consider that the numbers of officers authorised for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—They are not satisfactory.

(*i*) In the Provincial Executive Branch of the Service there should be seven grades in this Province with the following grade pay:—(*a*) Rs. 1,200, (*b*) Rs. 1,000, (*c*) Rs. 800, (*d*) Rs. 600, (*e*) Rs. 500, (*f*) Rs. 400; (*g*) Rs. 300. There are at present 222 appointments in this province and the whole should be graded in the above scale.

(*ii*) In the Provincial Branch of the Judicial Service there should be seven grades in this province with the following pay:—Subordinate Judges:—(*a*) Rs. 1,200, (*b*) Rs. 1,000, (*c*) Rs. 800 Munsifs:—(*a*) Rs. 600, (*b*) Rs. 500, (*c*) Rs. 400, (*d*) Rs. 300. For probationers Rs. 150 in addition to one-third of the officiating pay, or in the alternative they should be given Rs. 250 only all through. There are at present 20 posts of Subordinate Judges and 68 posts of Munsifs. They all should be graded according to the above scale.

I have to suggest that in the first place time-scale of pay should be fixed for both the branches of the Provincial Civil Service. If this suggestion is not accepted, then I would suggest alteration in the grades.

(*iii*) The number of Munsifs and Sub-Judges in Bihar should be increased. The public have a right to demand speedy disposal of their cases. The Government should not grudge the increase of expenses as the income from this source is very large.

(*iv*) At least one-fourth of the District Judgeships should be given to the Subordinate Judges.

41382 (57). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable and, if so, in what direction?—The Executive and Judicial functions should be separated. The Criminal side and the Civil side of the Judicial branch of the Provincial Service should be amalgamated and placed under the direct control of the High Court in the matter of appointment, promotion and transfers, while the Executive Branch of the Provincial Service should be placed under the control of the Executive authorities.

41383 (58). Are you satisfied with the present designation "The Provincial Civil Service?" If not, what would you suggest?—I would suggest that the Provincial Civil Service of each province should be named after the name of that Province, *e.g.*, the Provincial Civil Service of my Province may be called "The Bihar and Orissa Civil Service."

41384 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—One pay should not be fixed for the whole country. Pay for officers of Provincial Civil Service should be fixed differently in different provinces.

41385 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—I have already suggested the change in the grade. But I have to make one more suggestion—that for both the branches of the Provincial Civil Service time-scale of pay should be fixed. An annual increment of Rs. 25 should be allowed in the various grades of services.

41386 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—They should be equally treated in the matter of pay.

41387 (62). Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—Privilege leave rules for the Provincial Judicial Service should be modified; the officers of that Service should get full pay for the privilege leave.

41388 (63). Are you satisfied with the present system of superannuation pensions for officers of the Provincial Civil Service? If not, please say what modifications you would suggest, and on what grounds?—(*i*) 20 years' actual service should entitle the officer to full pension even if he has not attained the age of 55 years. (*ii*) Extensions should not be allowed as that blocks promotion of junior officers. (*iii*) Officers should be forced to contribute a certain percentage of their pay towards family pension, and there should be an equal amount of contribution by the State.

41389 (64). Are you satisfied with the existing organisation of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—The organisation as it exists, with the various changes suggested above, will be quite sufficient, but I wish to add that the post of subordinate executive service should be abolished altogether; as the same educational qualifications are required for the post of a Deputy Magistrate as well as of a Sub-Deputy Magistrate. The two services should be amalgamated. There ought to be one consolidated service.

41390 (65). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—The travelling allowance allowed to the officers of the Provincial Civil Service is not sufficient. They should get double first-class fare—if not, the actual cost of their travelling, especially in case of their transfers from one station to another. If the suggestion be not accepted, then double first-class fare should be allowed to such officers as draw Rs. 500 per month as their pay.

KHAN BAHADUR SAIYID FAKHR-UD-DIN, called and examined.

41391. (*Chairman.*) You are a member of the Bihar and Orissa Legislative Council ?—Yes.

41392. What are the public positions you have filled ?—I am an Assistant Secretary of the Bihar Provincial Moslem League, Vice-President of the Anjuman Islamia of Bankipore and Secretary to the Patna Bar Association.

41393. You sympathise with the demand for a simultaneous examination ?—Yes.

41394. And you would like to see such a system introduced, but in order to safeguard the interests of Muhammadans you would reserve a percentage of the vacancies each year to be filled by nomination from amongst the candidates who appear at the examination ?—My own opinion was that there ought to be pure competitive simultaneous examination, but when I consulted the Muhammadans of Bihar some of them apprehended a danger that for some time to come they might not be able to compete at the examination, and therefore in order to safeguard the interests of Muhammadans I have suggested that there ought to be a combined nomination and simultaneous examination.

41395. Therefore in expressing this view you are expressing the view of the Muhammadans in this District ?—Not in general. The majority of Muhammadans, especially the young educated Muhammadans, are in favour of simultaneous examinations, but there are some Muhammadans who do not want simultaneous examinations without their interests being safeguarded. I invited the opinion of the District Moslem Leagues, and fortunately I got the written opinion from the Muzaffarpur District Moslem League, and I have brought that with me and can place it before the Commission. The scheme suggests a separate examination in India for Indians. They say that the introduction of a system of simultaneous competitive examination in India and England would give an undue advantage to particular classes of Indians and would work serious injustice to some important communities.

41396. Perhaps you will put that document in ? Can you tell us shortly the view they have ?—They want a system of combined nomination and examination to be confined to the Natives of India. When this was received by me, after I had submitted my replies, I sent a letter giving my own views on the matter, and I received a reply from the President of the District Moslem League of Muzaffarpur that he agreed with my views.

41397. This is a third view now ?—This was the first view that I received from Muzaffarpur.

41398. First of all we had your view as given in the printed answers, then we had the view of the Moslem League, which is a separate examination, and now you have a third view to put forward ?—This is the view of the District Moslem League of Muzaffarpur. I am the Secretary of the Bihar Provincial Moslem League and I called a meeting here on the 7th February. Unfortunately there was a very thin gathering, and the majority of the members who were present were in favour of simultaneous examination. On the second occasion, when I wanted to put this matter before the general meeting of the League, on account of some countermanding postcards issued by some there was no gathering at all, and therefore I could not obtain the general opinion of the members of the League. I have given my opinion and the opinions of the Muhammadans whom I consulted individually from time to time.

41399. That is represented in your answers here ?—Yes.

41400. The document you have handed in gives the view of the Moslem League ?—The Moslem League of Muzaffarpur only. That opinion was also qualified subsequently.

41401. It has undergone another change since ?—Yes.

41402. Therefore there are three definite views in front of us, if we discuss them ?—Yes.

41403. Could you give me shortly what is the modified view in that statement ? I quite understand your view in your printed answers, and I understand that the view on the paper you put in is really a proposal for a separate examination in India ?—Yes.

41404. Since that has been written the writers have modified their view ?—Yes.

41405. Now could you give us what that modified view is ?—They sent me a letter saying there should be combined simultaneous examination and nomination, *i. e.*, exactly the same view I have put forward in my replies. I communicated my own views and they accepted them. But I received a letter from the President only.

41406. Therefore for practical purposes we can deal with this view in your written answers as representing yourself and the Moslem League of Muzaffarpur ?—Yes.

41407. Your proposal is a simultaneous open examination, combined with nomination for certain Muhammadans ?—I have not said for Muhammadans only. The nomination will be made from different communities which might be considered by Government to be important communities.

41408. How would you put that into practical operation with simultaneous examinations ?—Supposing there are 100 candidates appearing for the simultaneous examination held in India and England, and the Government requires only 25 persons, a certain percentage should be fixed for recruitment by nomination and a large percentage for that by competitive examination. The percentage which is to be filled up by nomination is to be taken from those persons who appeared at the competitive examination, but could not secure the highest mark in order of merit, and then the nomination will be made from amongst those who have obtained the highest marks, and they should belong to the community which has not been represented by the competition test.

41409. So that if the gentlemen who represent these communities come out low in the list of the competitive examination, in order that they may be represented in the Service they would be put over the heads of successful candidates who have passed the examination ?—They would not be put over their heads. Those who are successful in the competition would be taken in, and then from those persons who have next secured the highest marks nomination will be made.

41410. There are only a limited number of vacancies each year ?—Yes.

41411. Supposing that there are twenty vacancies and the twenty successful candidates do not represent these outside communities, you want say five of the outside communities and you go down the list of those who have been successful below the twenty and you put five into the twenty vacancies to the exclusion of five successful candidates ?—I do not quite follow you.

41412. I am afraid I cannot make it clearer, but I will try and put it in a different way. Assuming that all the successful candidates in the examination are outside your communities, which is quite a conceivable result, if you are going to nominate gentlemen of other communities who were unsuccessful in the examination you would have to exclude certain of those who had been successful ?—That might be the result.

41413. Do you think that would be satisfactory ?—No ; it will not be very satisfactory.

41414. Would it not be more satisfactory, if you want those communities represented, to have something in the nature of an examination in India for them ?—That would lower the status of the Service.

41415. It is because on second thoughts the Moslem League think it will lower the status that they have modified their scheme ?—I cannot tell you that.

41416. But apart from whether it may lower the status or not, you would admit, would you not, that those candidates who had been successful in the examination and yet were excluded by the operation of your scheme would be suffering what might be regarded as a very just grievance ?—Those candidates who secure a certain percentage of marks will be admitted into the Service and will have no grievance.

41417. Do not you think that those who have gone through the strenuous effort to prepare themselves for a very severe examination, and had come out successful in the list of candidates, would feel they were labouring under an injustice if they were excluded ?—Yes, but at the same time I think they will be satisfied to see that other communities who ought to be in the Service are employed.

41418. You think that would be sufficient compensation ?—It may not be sufficient compensation.

41419. You would have to find some rather self-sacrificing candidates to take that point of view, would you not ?—That might be so.

41420. In answer to question (10) you say you will retain the listed post system for the Provincial Civil Service. At what age would you suggest that officers should be promoted from that Service to listed posts ?—I cannot give any exact age, but they ought to be in the listed posts for a sufficient number of years.

41421. Do you think that officers attain the position of listed posts at present rather late in life ?—Yes.

41422. You would like to see them attain it earlier ?—Yes.

41423. Would you make them full members of the Indian Civil Service or keep them apart as at present ?—They agree to be treated like members of the Indian Civil Service, but they may be styled Provincial Civil Servants. In the matter of pay my idea is that they should be treated equally, and in other respects too they ought to be treated equally.

41424. So that for all practical purposes they are members of the Indian Civil Service ?—Yes.

41425. From the point of view of inferior status, you do not see any objection to recruitment by these means, although you do to recruitment by means of a separate examination. Where do you mark the difference ?—After serving for a long time they will be raised to this post if they can satisfactorily show any merit, but in a separate examination people might consider that the status of the Service has been lowered.

41426. You are not satisfied with the present legal attainments of the Indian Civil Service officers in the Judicial branch ?—I am not.

41427. You would remedy this either by recruitment from the Bar or by making Indian Civil Service officers choose their line directly their period of probation is over ?—Yes.

41428. Do not you think that a certain number of years in the Executive line is a useful training for an officer who subsequently enters the Judicial branch ?—I do not think so.

41429. You would like to see the selection made directly after probation ?—Yes.

41430. Then after training in the Subordinate branches of the Judicial Service they would work their way up ?—Yes.

41431. In your answer to question (51) you suggest a scheme for recruitment to the Executive Branch of the Provincial Civil Service, but you do not seem in that scheme to take any account of promotions from the Subordinate Service ?—I have not put it in, but my idea is that there ought to be appointments by promotion as well. I do not want to exclude the appointments by promotion.

41432. Do you agree with those witnesses who have come before us and suggested that the Sub-Deputy Collector should be incorporated definitely into the Provincial Service, or would you leave him as he is at present and promote him up ?—My idea is that the two Services should be amalgamated.

41433. In your answer to question (56) you imply that officers of the Provincial Service are

overworked and underpaid. Could you tell us a little more about that?—As I am a practising Vakil here and have had some experience, I find that cases are decided after a long time, some cases taking nearly two years. The Munsifs and the Sub-Judges are overworked.

41434. You think there is undue delay in the cases?—Yes.

41435. Do you think there is room for more staff?—Yes, more Munsifs and more Subordinate Judges.

41436. Would you agree with some of the proposals that have been put forward by witnesses for improved salary for the Provincial Service?—I do not know what the proposals are.

41437. Generally speaking, do you think there is room for improvement?—Yes.

41438. In your answer to question (36) you say that those who did possess some knowledge of the vernaculars of India have lost it through keeping aloof from the Indians. Do you think there is a falling off on the part of European officers in the knowledge of the language?—Yes.

41439. Do you mean by "aloof" that the work of the department has become more onerous and therefore has necessitated the officer keeping more in his office?—That is not my meaning. They do not mix freely with the Indians.

41440. On the Executive side do not Collectors, in carrying out their ordinary work, find themselves obliged to mix pretty intimately and freely with the people of their district?—That has become a formal thing. People have to pay their respects to the District Officers, and that is enough.

41441. Have you had much experience of going round with officers and seeing how they carried out their work?—No, I have not had much experience of that.

41442. So that what you say is only from hearsay?—Yes.

41443. With regard to recruitment for the Provincial Civil Service, you say that the age should be raised from 25 to 27. Why do you suggest that?—Because under the University regulations no student can appear at the Matriculation examination until he has completed his sixteenth year, and then he has to pass the B. A. examination, which will bring him up to 21 or 22 years. After that he has to make application and wait for some time. Therefore my idea is that the age should be raised from 25 to 27.

41444. Do you see any real practical advantage in postponing for another two years?—Yes.

41445. What is he going to do between the ages of 21 and 27?—That will give more facility to the applicants and help a man to get the appointment, because unless he passes all the examinations he is not able to get the post at an early age.

41446. What other examinations are you thinking of after 20?—The B.A., B.L., and the M.A. The Government generally want M.A.'s and therefore he has to appear for the M.A. examination.

41447. At what age would that be?—It may be twenty-five years.

41448. Then why do you postpone it so late as 27?—It is quite possible that he may not appear at some examinations on account of illness and so forth.

41449. You want to give him a broad margin?—Yes.

41450. (*Sir Murray Hammick.*) I understand that you want to see some candidates appointed by nomination out here?—In the Indian Civil Service you mean: yes.

41451. And some appointed by simultaneous examination?—Yes.

41452. And you want an increase in the number of listed posts?—Yes.

41453. You want to have the whole of the Judicial officers appointed from the Bar?—Yes. With regard to the last I have made an alternative proposal.

41454. But supposing your scheme is carried out, how many appointments will remain for Europeans in the Executive Service?—It will be very difficult to tell you that.

41455. There will be very few. All the Judicial appointments have gone?—The Judicial appointments will not be gone, as I do not mean to say that no Judicial appointments should be given to Europeans.

41456. Not to the Civil Service?—No.

41457. You are going to increase the listed posts, which takes away a good deal more from the Indian Civil Service?—Yes, that will depend on the wish of the Government; I have simply suggested a certain percentage to be fixed.

41458. But you would like to see it?—No doubt by my scheme there would be a practical decrease in the number of Europeans.

41459. It will be a very large decrease, will it not?—I do not think so.

41460. You have not been to England, I suppose?—No.

41461. Do you think there will be the same competition for the Indian Civil Service as there is now when you have taken away from it all these appointments?—I do not take away all the appointments.

41462. But you take a great many?—I say there ought to be a competitive examination which may be thrown open to the Europeans as well as to the Indians. It is quite possible there might be more Indians and I do not see why Indians should not have these higher posts if you can get efficient Indians.

41463. You also recommend that in the curriculum for the examination at home, which I suppose will be changed at the time you introduce the simultaneous examination, Greek, Latin, French, and German should be excluded?—I am not very keen about that.

41464. Why do you allow Italian to remain in?—Because it is considered that French, Greek, and Latin are easy languages, and the Europeans have the advantage with them, and get a good number of marks by those subjects.

41465. You would like to see Greek, Latin, French and German cut out, but you do not mind Italian staying in ?—That is so.

41466. You want Italian to remain because it is a little more difficult ?—That is the view.

41467. That will leave the examination confined to English, Italian, Mathematics, Natural Science and Philosophy. Is that the scheme of examination you propose in England ?—Yes, I have made an alternative suggestion that Greek, Latin and French may be allowed to remain, but that the marks for Arabic and Sanskrit should be raised to the same standard.

41468. You would like to see everybody in the Provincial Civil Service getting a pension after twenty years' service ?—Yes.

41469. Do not you think that would increase the charges of the Provincial Civil Service very much ?—No doubt, but I think that is the best source of income to Government.

41470. Do not you think that a man with twenty years' service is very often well able to do another ten years' service ?—Yes ; sometimes he is, but most of the Judicial officers have to retire before they complete twenty-five years.

41471. Why ?—Because they have reached the age of fifty-five. They get their appointment confirmed at the age of 31 or 32 and consequently after twenty-three years' service they have to retire.

41472. But you want them to retire after twenty years ' service ?—I say that they need not retire, but they should be entitled to get the full pension after working for twenty years, so that the major portion of these officers will be able to enjoy their full pension.

41473. You would like to see officers forced to join the Family Pension Fund ?—Yes.

41474. You think that is very necessary ?—That is one of the proposals I have made. I find that some of the Judicial officers are in favour of the scheme and they think that this will be like a Provident Fund for them.

41475. But you think they ought to be compelled to join ; you would not give them any option ?—If an option is given it will not be so good.

41476. Why do you make it compulsory ?—It is quite possible that there might be people who do not look to the future, but if the Government provide a scheme they will have to set apart a portion of their money, and thereby will be able to provide for their children hereafter and the Government will be doing an immense good to the children.

41477. (*Mr. Fisher.*) Why do you say that the pay for officers of the Provincial Civil Service should be fixed differently in different Provinces ? —I do not know whether the mode of living and the market price of all produce in every Province is the same.

41478. In other words you think that the pay of the Provincial Civil Service should be adjusted to the cost of living in every part of the country ? —Yes, in different Provinces.

41479. Does not the cost of living vary from one place to another in the same Province ?—I cannot say that.

41480. Do not you think there is some advantage in having uniform rates of pay all through for the same kind of work ?—There may be some advantage, and justice demands that there ought to be a uniform pay, but if there are circumstances that justify the curtailment of the pay the Government might curtail it.

41481. You say that you wish to see the three years' term of practice at the Bar before a Pleader, Barrister, or Advocate can become a Munsif, reduced to one year. What is your reason for that proposal ?—Three years is too long for the probationary period, and after three years the man does not get his permanent appointment. He has to work in different places from time to time, and it takes another three years before he gets his confirmation. Therefore if after one year's practice he gets into the Service, when he has had two or three years officiating appointments he might be confirmed.

41482. From the point of view of efficiency of justice, is there not something to be said for the system which requires that an intending Munsif should have seen some practice at the Bar for a period of three years ?—So far as the Pleaders are concerned they have to pass the B.L. examination, which is very stiff, and I do not think that they will be in any way inefficient if, after one year's practice, they are taken into the Service. The regular training of the Munsif begins when he gets his first appointment as a Munsif. He has already studied Law sufficiently, and when he commences his work as a Munsif he will get regular training.

41483. You do not attach much importance to the practical work at the Bar ?—I do not attach much importance to that.

41484. (*Mr. Madge.*) With regard to your answer to question (4), some witnesses of authority think that it is a real advantage to have a common examination for the British Empire. There are two things to be considered here. The first is that this examination, being good in itself, may not bring out Colonials here, but only Englishmen, and that you do not object to ?—No.

41485. You object to it only in the event of its bringing out Colonials ?—Personally I do not object to that, but that is the general feeling which I have embodied in my reply. I have no personal objection.

41486. So far as this objection rests on pure race prejudice everybody will agree with you, but you may be aware that in the Colonies thoughtful people do not object to those who have the same standard of life and the same standard of education. What they object to is that the country should be overrun with people with less sanitary habits and with different standards of living which might change the whole character of the Colony and prevent its being a British Colony. If there is an advantage in having a general examination would you sacrifice that

advantage to a mere sentiment of this kind ?—No.

41487. (*Mr. Abdur Rahim.*) You want an examination on the result of which you would select a certain number according to the marks and would treat the others as having passed a qualifying test. For instance, if twenty-five men had to be selected you would take the first twenty in the order of marks and you would treat the others as having passed a qualifying examination, leaving it to the selecting authority at their discretion to select five others ?—Yes.

41488. Perhaps you are aware that in Bengal there was a rule to that effect for the Provincial Civil Service. An examination used to be held and certain appointments allotted according to the number of marks, and selection was made from the remainder for a certain proportion of posts. There is an analogy also in the way candidates are grouped. In the Calcutta University examination the first class is arranged in the order of merit, but the other classes are in a Passed List as it is called ?—Yes.

41489. With regard to your suggestion for the abolition of three years' practice at the Bar for Munsifs, I suppose you will agree with me as a practitioner that merely passing an examination does not go very far in helping a man to get practice ?—No.

41490. You want experience of practical work ?—My assertion is that there would be training in practical work when he is appointed as a Munsif. He will get temporary appointments and thereby be trained.

41491. But will not that be at the cost of litigants ?—It may be. A man requires experience in actual practice, but not at the cost of the litigants.

41492. Do you think there will be much difference between one year's practice and three years' practice ?—If a man has sufficient knowledge of Law, after one year's practice I think he will be able to do efficient work as a Munsif.

41493. But surely a man who has had three years' practice in attending Courts and who has worked for seniors and taken reports of cases, and has kept up his study of Law, is in a better position so far as experience of Law is concerned than a man who has only had one year's training ?—So far as practical knowledge of these things is concerned he will be in a better position no doubt. But the difficulty is that he has to pass the B.L. examination, and he has to wait for three years more before he can get his first appointment.

41494. Your real objection is to the way in which these officiating appointments are made, that they are made for very short terms and the man is thrown on his own resources in between and has lost his clients and his practice ?—Yes.

41495. That is the real grievance you want removed ?—Yes. It generally takes three or four years before he gets his permanent appointment. If he obtains his first appointment and it continues I should retain the three years' practice.

41496. (*Mr. Maude.*) At the end of your answer to question (4) you say that in no other respects does the combination of the competitive examination seem disadvantageous. You mean by that a combination of the Home and Colonial Civil Service Examination ?—Yes.

41497. Is it not a fact that no Indians practically desire to go into the Home Civil Service; they would not take it if it were offered to them ?—I am not aware of that.

41498. Are you aware of any who have taken it ?—No.

41499. Assuming that they do not desire to go into it, does not the fact of combining the Home Service examination and the Indian Civil Service examination act prejudicially against the chance of the Indian who goes in for the examination ? The number of Indian candidates is fixed and they desire only to enter the Indian Civil Service, but owing to the combination instead of having against them, say, one hundred English candidates they may have two or three hundred. Does not that decrease their chance of passing the examination ?—It may decrease the chances of the Indians.

41500. You think that the separation of the examinations would go to some extent towards increasing the chances of the Indians in the Indian Civil Service examination ?—Yes.

41501. (*Mr. Datta.*) With regard to your answer to question (62), you know that members of the Provincial Civil Service, Judicial branch, do not get privilege leave on full pay ?—They do not.

41502. And the members of the Education Service and the High Court officers do not get privilege leave on full pay because they get long leave ?—Yes.

41503. Educational officers get leave for 72 days and High Court officers 72 days, while Judicial officers only get long leave for 33 days ?—That is so.

41504. Is that the reason why you urge that the Judicial officers ought to get privilege leave on full pay ?—Yes.

41505. Do you know as a fact that the Judicial officers are not confirmed before 31 or 32 ?—Yes.

41506. So that even if they do not take any sort of leave they do not complete their 25 years' service for pension when they attain the age of 55 ?—That is so.

41507. That is a reason why you urge that twenty years or some smaller period should count for full pension in their case ?—Yes, 20 or 22.

41508. (*Mr. Hussain.*) In reply to question (56) you propose the same scale of pay for the members of the Judicial Executive Provincial Service, namely, Rs. 300 rising to Rs. 1,200. That involves the assumption on your part that the arduous and exacting nature of the duties of the officers of the Executive Provincial Service justifies the equality you have proposed ?—Certainly.

41509. I think it also justifies the assumption that the inequality of pay in the grading of the

two Services has been very unfair for the Executive Service ?—Certainly.

41510. Will you accept as fair and equitable any arrangement now proposed to relieve the block in the promotion in the Provincial Executive Service, that they should be simply graded up to the present limit of the Judicial Service and not higher ?—No.

41511. You say in answer to question (47) that the listed posts ought to be treated equally in the matter of pay ?—Yes.

41512. This Commission has been started because there seems to be some demand on the part of educated men for a share in the administration on the same terms as their European fellow-workers. Do you think that this scale of pay you propose will to some extent prevent that clamour and satisfy educated opinion that they are sharing in the administration of the country on equal terms with their European fellow-workers ?—If there be difference of pay they would not be satisfied, and besides it would not give the same status. When a man is promoted to the higher listed posts the mode of living and other expenses increase, and therefore it is desirable they should be placed on the same footing in the matter of pay.

41513. And then it will satisfy educated public opinion ?—Yes.

(The witness withdrew.)

(Adjourned till to-morrow at 10-30 A.M.)

Friday, 28th March 1913.

FORTY-FIRST DAY.

PRESENT :

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman.*)

SIR MURRAY HAMMICK, K.C.S.I., C.I.E.
SIR THEODORE MORISON, K.C.I.E.
MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.
ABDUR RAHIM, Esq.
WALTER CULLEY MADGE, Esq., C.I.E.
HERBERT ALBERT LAURENS FISHER, Esq.

And the following Assistant Commissioners :—

WALTER MAUDE, Esq., I.C.S., Member of the Board of Revenue.
KHAN BAHADUR ASHFAQ HUSSAIN, Deputy Magistrate and Deputy Collector.
NARENDRA KRISHNA DATTA, Esq., B.L., Officiating Additional District and Session Judge, Shahabad.

M. S. D. BUTLER, Esq., C.V.O., C.I.E. (*Joint Secretary*).

SYED HASAN IMAM, ESQ., Judge, High Court of Judicature, Calcutta.

Written answers relating to the Indian Civil Service.

41514 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service ? Do you accept it as generally satisfactory in principle ?—Yes, subject to what I say hereinafter.

41515 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty ? If not, what alteration do you recommend ?—As a system of selection it is equally suitable, but "Natives of India" are under a considerable disadvantage as the examination is held in England.

41516 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests ? Please give your reasons ?—I do. It brings in a larger number of competitors at the examination and thereby enlarges the field of selection.

41517 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty ?—I favour a system of simultaneous examination in England and India. I would restrict the examination to only such natural-born subjects of His Majesty as belong to countries whence Indians are not excluded.

41518 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions ?—I am in favour of holding the examination simultaneously in England and India only.

41519 (9). What would be your opinion with regard to filling a fixed proportion of the

vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—My opinion is against it.

41520 (13). Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—I do. Recruitment to District and Sessions Judgeships, ordinarily, should be from Barristers in England and India and Vakils of High Courts, both Barristers and Vakils to be of not less than five years' standing. In making the selection care should be taken that men who have acquired some distinction in the profession are alone selected. Some recruitments should also be made from the judicial branch of the Provincial Civil Service.

41521 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any persons born and domiciled within the Dominions of His Majesty in India of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—The definition of the term "Natives of India" should be so framed as to include subjects of the Native States.

41522 (15). If the system of recruitment by open competitive examination in England is retained, please state the age limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—I recommend the retention of the present age limits. Such as have completed a University course are, to my mind, more desirable.

41523. (18). What is the most suitable age at which junior civilians should arrive in India?—24 or 25 years.

41524 (19). What age limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age limits for "Natives of India" and for other natural-born subjects of His Majesty?—The age limits as now are equally suited to "Natives of India." I do not recommend any differentiation.

41525 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well educated young man of the period?—I do accept the principle laid down by Lord Macaulay's Committee in 1854.

41526 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons.—In my opinion any such differentiation is entirely undesirable.

41527 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service Cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—No minimum should be fixed for His Majesty's European subjects nor a maximum for His Majesty's Indian subjects.

41528 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?—No.

41529. (31). If the system of recruiting military officers in India has been stopped, or has never existed in your province, would you advise its reintroduction or introduction, as the case may be, and if the system should be introduced or reintroduced, to what extent should it be adopted?—I do not advise its reintroduction or introduction.

41530 (38). Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—Yes.

41531. (42). Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—If the system of simultaneous examination that I have recommended in answer to question (7) is not acceptable, I would strongly urge that facilities, by way of scholarships, should be liberally afforded to Indians to proceed to England with a view to their competing for the examination there. If the system of recruitment for the judicial branch of the Indian Civil Service that I have recommended in answer to question (13) is not acceptable, I would strongly urge a complete separation of the judicial from the executive in the Indian Civil Service, in the event of the present system of recruitment being adhered to.

41532 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—Yes, if a probationer has not already completed a University course.

41533 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—Yes. The scale should be as now.

41534 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their

general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course? —Yes.

41535 (52). In particular, please state your opinion as to the desirability during the period of probation of (*i*) compulsory attendance at Law Courts in England and reporting of cases; (*ii*) the teaching of Indian Law in addition to the general principles of jurisprudence; (*iii*) the teaching of the Grammar and text books of Indian languages with or without any attempt at colloquial instruction; (*iv*) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts?—If the method of recruitment to the Judicial Branch of the Indian Civil Service I have recommended in answer to question (13) is accepted, I would not insist on compulsory attendance of probationers at Law Courts in England, but I would urge (*ii*), (*iii*) and (*iv*).

41536 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—In England.

41537 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—I do not see any serious objection to the proposal, but I do not see the necessity for it.

41538 (55). What is your opinion of a proposal that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—If by "probationers" are meant those who are already admitted into the Indian Civil Service after completing their probationary period in England, my opinion is that at the initial stage of their service they should be attached to selected District Officers for instruction and training.

41539 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No.

41540 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—I am not dissatisfied with the present arrangements for the training of junior members of the Indian Civil Service, but I would point out the need for greater courtesy and consideration than hitherto in their treatment of Indians.

41541 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied? —I believe there has been. The causes to my mind are (*i*) the necessity to speak in the vernaculars of the country is not so great as formerly; (*ii*) the facilities whereby they can spend their leave out of India; (*iii*) frequent transfers; (*iv*) social aloofness from Indians.

41542 (63). Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and, if so, what changes?— I would suggest more scholarships.

41543 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of Law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the judicial branch. In particular, do you favour a system of granting study leave to Europe, and, if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—I would recommend raising the standard of departmental examinations in Law in respect of all members of the Indian Civil Service. In respect of officers selected for the judicial branch, if my suggestion of separate recruitment is not acceptable, my opinion is that for a time they should be attached to the High Courts to learn the actual work in Courts.

41544 (65). Do you recommend any special course of study in Law in India for officers selected for the judicial branch?—No.

41545 (70). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—Not to my mind.

41546 (95). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—I favour its abolition, restricting such abolition to future entrants, but increasing their salaries to a reasonable extent. Such as are at present not eligible for the exchange compensation allowance on the ground of nationality or domicile should have the exchange compensation allowed to them.

41547 (96). If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?—Similar increase of salary should be given to all members irrespective of nationality or domicile.

41548 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the Service?— Yes.

Written answers relating to the Provincial Civil Service.

41549. (1). Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—I think they are.

41550. (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—After reserving a certain number of appointments for nomination the rest should be thrown open to competition.

41551. (7). To what extent are non-residents of the province employed in your Provincial Civil Service? Do you consider that only residents of the province should ordinarily be recruited?—In my view only residents of the province should ordinarily be recruited.

41552. (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—The present scale of salary is inadequate and requires to be revised.

41553. (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I do.

SYED HASAN IMAM, called and examined.

41554. (*Chairman.*) You are a Judge of the High Court of Calcutta?—I am.

41555. And you are a considerable landowner in this Province?—I belong to a family of landowners and have been connected with land, for I do not know how many generations, but I cannot say I am a considerable landowner. I am one of the respectable Zamindars, or my family is, because I own nothing in my own name. My wife and my mother are landowners.

41556. How many years have you occupied the position of Judge of the High Court?—A year and a little over a month.

41557. You were, I believe, a Barrister before you joined the Bench?—I was in practice in the mufassal, except for two months' practice in the High Court, just before I was raised to the Bench.

41558. Do you consider that the views you put forward, in the answers to the questions you have put in, represent the views of the Muhammadan community generally, or do you record them more as your own views?—I am not willing to take such a serious responsibility as to say, I represent the views of the Muhammadans, but I believe I shall be giving expression to the views of educated Muhammadans generally. That is only my belief.

41559. You feel the disadvantages under which Indians labour in having to go to England and to remedy that you favour a system of simultaneous examination in India and in England?—That is the view I entertain.

41560. You are not in favour of District and Sessions Judgeships being recruited from the Indian Civil Service?—No.

41561. You would recruit the Judiciary ordinarily from Barristers in England and India, and from Vakils of the High Court, with a few officers from the Judicial Branch of the Provincial Service?—Quite so.

41562. I understand that by your scheme you would have no minimum fixed for European subjects nor a minimum for Indian subjects?—No.

41563. In the event of your scheme not being put into operation you would, as an alternative, propose the grant of liberal scholarships to Indians to proceed to England with the view to competing for the open competitive examination?—Just so.

41564. I should like to get from you what you feel to be the weakness of your theoretical scheme which makes you put forward this alternative proposal. I would ask you first of all, are you yourself in favour of retaining a strong European element in the administration?—My answer to that question has to be divided into two parts. I believe that at present and for some time to come the need for the British element in the Services is, and will be, very great. A time may come, and I entertain the hope that it will come one day, when a larger number of Indians will find places in the Services, and not only find places but will be qualified to hold offices in the Services. That day to my mind is somewhat distant. As the circumstances of the country are at present, my idea is that we ought to have a fairly strong British element. I am not in favour of a European element, but a British element in the Service.

41565. Holding those views do you think that a scheme of unrestricted simultaneous examination would guarantee the success of a sufficient number of Indians on the one hand and prevent an undue number getting in on the other?—I think so. I think an unrestricted simultaneous examination is no danger to the Administration at present, nor will it be later, inasmuch as the advancement we have attained to in this country is not such as to hold out any threat to the Administration that the British element would be eliminated and Indians would find places they do

not deserve. Only qualified Indians will get in, and I do not feel it is right that Indians who are qualified to hold a position of trust should be excluded from what they ought to have. I quite realise that a time may come when you will have a large number of Indians in the Indian Civil Service, and with the increase of the Indian element undoubtedly there will be a decrease of the British element, but I have the impression that the British in the administration of this country, by the methods that have been adopted, have held out the hope to us that if we, under the guidance of the British, qualify ourselves to hold proper places, those places shall be given to us; and I do believe that the day on which Indians are qualified to get many more posts and places of trust in the administration will be a day for offering congratulations to the British. That is a very distant date.

41566. You would admit that by your scheme, however remote in your estimation the admission of a large number of Indians may be, the guarantee against it is absent?—I do not think a guarantee is wanted or needed, because according to the scheme I have in my mind it will only be qualified Indians that will obtain places which they ought to have by right of qualification. When their intellect is sufficiently raised educationally, I believe their character will be formed according to the lines of that education that has been given to them, and if they are qualified educationally for such places they ought to have them. There need be no apprehension as to the efficiency of the Administration if conducted by educated Indians.

41567. You are not afraid that under your system of simultaneous examination the Muhammadan community would suffer?—I am not afraid of that.

41568. You think that the educational standard now reached by Muhammadans will justify their hope of competing successfully along with other communities?—I have heard my Muhammadan countrymen expressing at times a fear that the system of simultaneous examination, if introduced, may possibly lead to a very small number of Muhammadans getting into the Services. That may be so, but only for the present. I have always felt as a Muhammadan that it neither adds to the dignity of the community nor is it in any manner advantageous to Muhammadans generally that they should be entertaining fears in respect of the future which, to my mind, are more or less groundless. It is neither dignified nor advantageous to have the system so limited as to place difficulties in the way of other communities who make up the Indian nation. If they find there are disadvantages, those disadvantages will be got over by the Muhammadans, because they will have every incentive to work for something that they think ought to be attained by them.

41569. Would you be prepared to see Indian officers from one Province serving in any other Province, and would you consider this to be to the advantage to the Administration?—Does that relate to the Provincial Service or to the Indian Civil Service?

41570. Take first of all the Indian Civil Service?—Personally I would not mind at all and so far as I am able to gauge the feeling of the people generally they would not either. I confess that I have not gauged the feelings of the people since I have been raised to the Bench, because I do not consider it right to speak to anybody on these questions.

41571. Do you say the same with regard to the Provincial Service?—No. As regards the Provincial Service my idea is that each Province, for certain reasons which if I am asked to explain I shall be very happy to explain, must be manned by people residing within the Province, who have made their home there.

41572. Could you tell us briefly why you make a distinction between the officers in the Provincial Civil Service and the officers in the Indian Civil Service?—The posts in the Indian Civil Service carry such heavy responsibilities that, irrespective of anyone belonging to any particular Province, you require men who should be not only efficient in the work they have to do but should also have educational attainments that make them superior men, men who can occupy positions of prominence not only in the administration but also in all social circles, men of great moral and intellectual calibre. Officers in the Provincial Civil Service are to my mind excellent men, from what I have known of them, and I say nothing to their disparagement, but men in the Provincial Civil Service are required to do a lot of administrative work under the guidance of those who hold appointments in the Indian Civil Service, and therefore it is necessary that Indians belonging to particular Provinces should be allotted to those Provinces for the purposes of administration, inasmuch as they contribute what is commonly known here as the ministerial work to the administration of the country. That is my only ground; nothing else. Otherwise I have no objection whatsoever. If that were not there, I should have no objection to having men from Bombay as Deputy Magistrates or Munsifs in Bihar.

41573. Why would you debar members of the Indian Civil Service from the Judicial? We have heard from Civil Judges of the High Court that the Executive work attached to the Indian Civil Service is very valuable afterwards to a Judge?—I may say without any reserve that I consider all members of the Indian Civil Service are exceptionally well educated men, men of great culture, and I believe men of great character. I wish it to be understood that I am not speaking as a Judge, but in my private capacity as a man who has had experience of the Bar only, when I say I believe that a great deal of the Executive leaven that they obtain in the earlier years of their service is carried with them to the Bench when they are Judges in Courts of Justice. By Judges I do not mean the District Judge or Sessions Judge, but I mean any

capacity in which cases have to be decided judicially.

41574. You think that Executive leaven, as you term it, is prejudicial and not of value ?—I believe so. I am speaking here on behalf of Hindus and Muhammadans as well, not as a representative, but as an Indian who belongs to India, and speaking as a citizen of India I am able to say that the feeling generally is not favourable to one of the Indian Civil Service being raised to a Judgeship anywhere.

41575. You suggest recruitment from two sources, from Barristers and Vakils on the one hand, and from the Provincial Civil Service on the other ?—Yes. I mean Barristers from England and India.

41576. What objection would you have to adding to that source of recruitment a portion, as now, from the Indian Civil Service ? Do you not think that recruitment from various sources is a good thing for the Service ?—In one of my answers I have suggested that if it could be arranged that, from the moment a member of the Civil Service comes out to the country, he is allotted to judicial work only and is trained for that purpose, he should have nothing whatever to do with Executive work. I believe he is not too young to learn judicial work. I may explain that the reason why I excluded him from the Judicial Branch of the Service and placed the members of the Provincial Civil Service in the Judicial Branch, was that members of the Judicial Branch of the Provincial Service have had at least three years' practice of some sort or other and are then brought up in traditions that are purely judicial, and therefore I think the prospects for them ought to be open. I have not even said members of the Provincial Service generally, but I have said members of the Judicial branch of the Provincial Service. They ought to have prospects and some incentive for their work, and ought to be raised to a proper status.

41577. With regard to recruitment from Barristers and Vakils, are you satisfied that men of good standing would be willing to take up the position of District and Sessions Judgeships ?—I am inclined to think so, for this reason. At present the Judgeships are divided into three grades. The lowest grade is Rs. 2,000, the grade above that Rs. 2,500, and the grade above that Rs. 3,000. If a young man who has shown promise of success at the Bar, who has been tried for five, six, seven, or even ten years, is offered a Judgeship of Rs. 2,000 a month, with the prospect of rising to Rs. 2,500 and then to Rs. 3,000, and ultimately to a seat on the Bench of the High Court, to my mind the prospect will be sufficiently fair to induce him to accept these places. I may mention here that I do not wish to say anything at all in respect of the way Judgeships in the High Court should be given, but if I had been asked any question regarding that I could have formulated a scheme which would have been in consonance with the rule which prevails in England in respect of Judgeships. In England you have no system of officiating Judges. The reason is that there are a number of Judges always available who are brought up to the High Court and sent back again to their work, to anything they might have been occupied in before, and there is a number of men practically in reserve. The practice that now prevails in respect of promotions from the Judicial Service to the High Court is naturally of a limited character, because they are all men of the Indian Civil Service and under the Statute they cannot have more than a certain proportion of the men of the Civil Service in the High Court. But it would be unlimited in respect of the men recruited according to my scheme in the Judicial Service, and I do not see any reason why men who have been District and Sessions Judges and have come to the grade of Rs. 3,000 should not afterwards be raised to the High Court Bench instead of having outsiders.

41578. How many English Barristers do you know who would be fit for such posts in the Province of Bengal, Bihar and Orissa ?—That is why I have said Barristers from England. I have observed in the course of the last twenty-one years during which I have been connected with law in this country that the number of English Barristers has been steadily going down, and my apprehension is, and I regret it, that the number will be going down till it reaches a point when it is quite possible one will find no English Barristers or very few of them. I am speaking of Bengal only. Therefore I have suggested that Barristers from England ought to be asked to come out. At present if I were asked to state the number of English Barristers who would be willing to take District and Sessions Judgeships, I am inclined to think that good capable men, men who would be a credit to the Bench, could be had in Bengal to the extent of half-a-dozen or so. But having had that difficulty in my mind I have suggested Barristers from England as well. I am not able to give you the number of Barristers from England who would be willing to come out because I have not ascertained it.

41579. You would keep a certain number of appointments of the Provincial Civil Service to be filled by nomination and would throw the rest open to competition ?—Yes.

41580. Would you retain the present system of promotion from the Subordinate Service as well as from Sub-Deputy Collectors?—I have always felt that they have been unjustly treated. To my mind it is an anomaly that a graduate of the Calcutta University is appointed a Sub-Deputy Magistrate on a pay of Rs. 100 a month. He rises to Rs. 200 in the grade of Sub-Deputy Magistrate, and if for some reason or other he has to be shunted, as the expression has been used facetiously, he is thrown into the Rs. 200 grade and never allowed to be a Deputy Magistrate. If he has the good fortune to have merited promotion he becomes Deputy Magistrate, but those instances are so very few, although they may be meritorious officers, that they are hardly ever promoted and brought into the ranks of the Deputy Magistracy ; while a man with the same qualification of graduate of the Calcutta

University is appointed a Deputy Magistrate without any experience whatsoever of Judicial or Executive work, and gets the start over his less fortunate brother who was appointed a Sub-Deputy Magistrate possibly with the promise that he would rise to a Deputy Magistrate.

41581. I take it from your answer that you would like to see the Sub-Deputy class included in the Provincial Civil Service?—Entirely. I consider that the Sub-Deputy Magistrates class is a very hard-worked class and a very good class, and one that does as much work as any class in the Provincial Civil Service.

41582. With regard to the present scale of salaries enjoyed by members of the Provincial Civil Service, you say that it is inadequate and needs to be revised. May I take it that the proposals which have been made to us by previous witnesses on general lines would meet with your approval?—From what I have seen of the proposals made I am not able to say definitely as to what should be the scale of salary, but I know it is not adequate at present. They are a very hard-working class and a very meritorious class, and a class that ought to be encouraged and their labours ought to be rewarded.

41583. You would like to see an improvement in their condition?—I should like to see a considerable scheme of improvement in connection with their prospects.

41584. (*Sir Theodore Morison.*) Supposing your proposals for simultaneous examination were adopted, what course would you recommend for probationers?—I have not understood the word "probationers" as used in the questions. In one place I find the term has been applied to men in the Indian Civil Service who have already been given their appointment and who have come out to this country, and in another place I find the term applied to young men who have passed their competitive examination but have not been admitted into the Indian Civil Service.

41585. I mean in the last sense, persons who have passed the competitive examination and have not yet entered on their duties in India. Do you propose to give any period of probation to the Indians who have passed a simultaneous examination?—I have not put that in any answer, but my idea is that instead of the two years under the present system they ought to have fully four years.

41586. Those who pass the examination out here?—Yes.

41587. Where would you have that four years passed?—In England.

41588. Then they would be twenty-eight before they came out?—They would start later.

41589. What would be your period for the English Civil Servant?—Two years. Those who have passed the competitive examination in England should have two years; I do not suppose anything more than that is needed.

41590. It is one year at the present moment.—I know, but I am talking of the utmost. I do not know whether the Commission holds the view that it should be a year or two years or four years, but it should not be less than a year as now. In former days, when the age limit was 17 to 19, it used to be two years, and I say that it might be two years at the outside now.

41591. One year or two years for the Englishman who has been through Oxford or Cambridge?—No, for all persons who have passed the Civil Service Examination in England.

41592. And four years for the Indian?—Yes, such as pass their examination here.

41593. How would you arrange them in the Service?—The Indian who passes into the Service in India by means of a simultaneous examination, and who has to undergo a period of four years' probation in England, will have to start from the time of his admission into the Indian Civil Service on the day from which he is entitled to have his promotion and grading.

41594. But he may be hooted out if he does not give satisfaction?—If he is hooted out he does not take any place.

41595. You would count his seniority?—After he has passed his final examination at the end of his probation he would be admitted into the Indian Civil Service, his services to count from that time.

41596. After the final examination?—Yes, he has to undergo a final examination at the end of his probation.

41597. Then he will be two years junior? He certainly would, but we have to suffer something for the sake of what I think is required, that is to say having a breadth of view by coming in contact with people in England.

41598. You are prepared for that?—Yes.

41599. He will be twenty-eight years when he comes out according to your proposal?—Yes, and he will be below the men who passed the competitive examination with him, and even below those who passed the competitive examination a year or two later in England.

41600. It has been suggested to us by a great many members of the Civil Service that the Englishmen come out too late at present, and that it would be better that they should pass the competitive examination between the years of 18 and 20. Supposing that were adopted for the English members of the Service, what would you recommend for Indians? The conditions may not be the same for both sections of the Service?—I think in answer to one of the questions I have said that I am opposed to any distinction being made up to the passing of the examination, or in fact at any time, and therefore the Indian must take his lot, whatever it may be, along with the Englishman when he is a candidate.

41601. Surely you would recognise that it would reduce the chances of the Indian very greatly to alter the age from 22-24 to 18-20?—Speaking as an Indian I would much rather suffer a disadvantage and have my place in the competition and maintain my dignity than have a position given to me or a concession made to me. It is hurtful to my self-respect and to the dignity of the nation.

41602. That seems to me to be putting the point of honour rather high ?—It may be, but there it is.

41603. I should say there was a difference in the educational system of the two countries and we have to recognise that. You say if it is necessary to lower the age of the English candidates to 18-20, you would impose the same conditions on Indians. You do recognise that there is a considerable difference in the educational progress of the different provinces, not communities, of India ?—I do.

41604. Which would you say was educationally the most advanced Province ?—I would place Bengal first, Madras after Bengal, and then Bombay.

41605. Those are educationally the most advanced Provinces of India ?—Yes.

41606. What would be the educationally backward Provinces ?—I have not studied the statistics and I am not able to pronounce a general opinion, but I am inclined to think that Bihar, the United Provinces, and the Punjab are all one on the heel of another if they are not all to be bracketed together.

41607. Do you think that any system of competition between those two groups will ever give Bihar, the United Provinces, and the Punjab any representatives ? I am not putting it on the question of Hindu or Muhammadan, but geographically ?—I have never understood the Indian Civil Service or any Service of that very high order to be an assembly of representatives, and they should never be allowed to degenerate into an assembly of representatives.

41608. Quite so, but I want you to say whether or not you think that the people of Bihar, the United Provinces, and the Punjab are likely for the next two generations to get into the Civil Service ?—Probably they will not have as many successes as they would like to have. I do not think there is anything in that. Of course each Province has its own local patriotism.

41609. I am only asking you for the facts. I can form my own conclusions ?—I can quite conceive it.

41610. (*Mr. Abdur Rahim.*) I should like to put a point to you for your consideration with regard to representation. You know that for certain very high places in the Administration there have been considerable arguments in favour of what you call representation ?—Yes, but I venture to question the wisdom of the arguments.

41611. The Government has, at any rate, to a certain extent recognised the force of such contentions ?—I am not in accord with the Government there.

41612. But it is a fact ?—So far as my views are concerned I am not at all in accord with the Government. You will be able to get information from Government officers on that question.

41613. Supposing we tried to look at things from the Government point of view. Do not you think that, under the present circumstances of the country, the Government would be justified, and indeed be called upon, to pay great attention to contentions of this nature on political grounds ?—I think in the interests of the country it would be wrong on the part of the Government to take any such view. Politically of course there may be views entertained by one set of statesmen in the country and views entertained by another set of statesmen in the country, but personally I think, as a humble citizen of the Empire, that it is not right to take a view based on representation which may rouse communal feelings in the country, and I believe communal feelings have been roused by the view taken.

41614. On the other hand, there is another point of view which is constantly urged, that if certain Provinces and important communities are altogether left out of consideration so far as the Public Services are concerned, that will accentuate Provincial and communal feeling ?—I have heard that said, but I do not entertain that opinion.

41615. You have also heard it constantly urged that if Provinces and communities are not given a fair chance in the Public Services their progress will be considerably retarded in matters of education and other matters ?—I have heard it said, but I do not accept that as correct. At present, an Indian, whether a man from Bihar or a man from Madras, finds hardly a place, if any at all, worth the name by the present system in the Civil Service, and it would do no harm if by having a system of simultaneous examination you introduced a larger number of Bengalis than Biharis, and a larger number of Madrasis than Bengalis, and a larger number of men from Bombay than Madrasis. It would do nothing harmful to the Administration.

41616. My question was not confined to the Civil Service, because I understand that even in the Provincial Service you are a strong advocate of the competitive examination ?—I have said it should be competitive examination and there should be nomination, nomination and competitive examination as in the past.

41617. It is with reference to certain general observations you made in answer to the questions of the Chairman that I put this general question ?—In answering every question I have had regard to either the Provincial Civil Service or the Indian Civil Service separately. I trust I have not confused anything.

41618. (*Chairman.*) That is quite clear: I asked you the questions definitely as regards the two services ?—That is what I thought, and I should like when a question is put to me to be satisfied whether it is the one or the other.

41619. (*Mr. Abdur Rahim.*) I will put a general question to you. We have had evidence given before us here that there are certain complaints made with regard to the number of appointments allotted to the different communities within this Province ?—That is true.

41620. Do you think that such complaints will be removed if wholesale competition is introduced ?—It is in view of such complaints

that I have suggested there should be a system amalgamating competition and nomination.

41621. Therefore, I take it, you would recognise the necessity of a certain compromise?—Life is made up of compromises. I recognise, as I have already said in answer to the Chairman's question on the subject of the Provincial Service, that these are smaller appointments and local feelings have to be consulted as well as diversities of interests.

41622. Why do you draw a distinction between the methods of selection for the Judicial Branch of the Provincial Service and the Executive Branch? You would retain the present system by which Munsifs are appointed by pure nomination?—That is quite obvious. The Munsifs appointed now are appointed, after they have practised for three years, on a nomination made by the High Court, and the High Court does not take any action until a District Judge certifies to the character and to the efficiency of the man who makes such application. Therefore a man who has had three years' practice is known to the District and Sessions Judge, and we have to trust the District and Sessions Judge, and consider what the qualifications are, and if the qualifications are all right he comes in.

41623. We have had considerable evidence in Bengal as well as here that this three years' practice is really a farce and should be done away with, that one year would be probably quite sufficient if anything is retained; that is to say a candidate for Munsif hardly does any work in the three years, and that that therefore affords no means of testing a man's qualification. Do you agree with that evidence at all? -No.

41624. You think the three years' practice ought to be retained as a condition?—Yes. It may be that the man who has practised for three years has had but very little practice, but if he has had to attend the Bar Library in the mufassal he has at least had the opportunity of seeing cases conducted by lawyers for three years and that ought to be a good basis for his legal education.

41625. Not quite by attending the Bar Library?—He has seen the work done by senior men.

41626. They play a good deal of chess in the Bar Library, do they not?—When I had the honour of being a member of a certain Bar Library I saw chess being played, but I venture to think that Bengal is the only place where chess is played.

41627. In answer to question (13) you say that recruitment to District and Sessions Judgeships ordinarily should be from Barristers in England and India and Vakils of the High Court. Do you include Vakils practising in the District?—No, those who have been enrolled in the High Court.

41628. I believe there are Vakils who are not enrolled and not entitled to practise in the High Court?—They are not Vakils. They are only pleaders. They come within the jurisdiction of the District and Sessions Judge.

41629. I thought perhaps you meant that?—No.

41630. I thought you meant Vakils who are entitled to practise in the High Court though as a matter of fact they may be practising anywhere?—They may be practising anywhere, but they are Vakils of the High Court.

41631. You have not answered the question with regard to the separation of the Judicial and the Executive?—I think I have answered that in reply to question (42).

41632. That question refers to the system of recruitment. Did you mean by that the separation of the two functions?—Yes.

41633. Question (88) is really the first directed to that point, and you have not answered that?—I have answered it under question (42).

41634. In your opinion the two functions ought to be separated?—Entirely.

41635. In your practice at the Bar did you find a necessity for separation?—I formed a very strong opinion on the subject when I was at the Bar, and I have had no reason to alter my views since then.

41636. I suppose you agree with the evidence that has been given that it is the general feeling in the profession as well as in the country?—If it had been a feeling only on the part of the profession I should not have felt justified in urging it, but prior to the time I became a Judge it was the feeling all over, among Zamindars, ryots, and everyone. I was in considerable touch with the ryots and I found that was the feeling.

41637. I suppose that ryots do not quite understand the question of the separation of the functions?—They do when the Judicial Officer is out on tour with his Executive functions, and his Chaprasis levy undue and improper taxes. The ryot when his pocket is touched realises fully the necessity of a separation of the Judicial and the Executive.

41638. (*Mr. Madge.*) All examinations for the Indian Civil Service are preceded by a declaration of the number of vacancies to be filled?—Yes.

41639. In the case of simultaneous examination, the object being to give certain Indians their share in the administration, would a declaration be made that so many people are wanted in India and so many people wanted in England?—I have never said that the object is to include a number of Indians. The principle on which I am advocating a system of simultaneous examination is that equal facilities and equal opportunities should be given to all His Majesty's subjects, who have the qualifications, excluding such as come from countries where Indians are excluded. Therefore I have not in mind that a certain number of Indians should get in. All I have in mind is that the Indians should have as fair a chance and as many opportunities and facilities as European-born British subjects of His Majesty.

41640. But the point of my question is this. The simultaneous examination being introduced with the object of examining in India people who

will be taken into the Service whatever the proportion may be between Englishmen and Indians, do you think a declaration would or would not be made that so many candidates are wanted in India ?—Do you mean in India or for India ?—

41641. In India for India ?—You may have people in England or in India for India, but if you say in India I say no such declaration is needed. Supposing in any one year you have 50 vacancies, you would throw open those vacancies to be competed for by people residing in this country and people residing in England, whether it is an Englishman living here or an Indian living here, or an Englishman living in England or an Indian living in England.

41642. Do you think an Englishman who has a chance of being examined at home would come out to India to compete for the Indian Civil Service ?—I have personal knowledge of some young Englishmen—I will not say many—who have been brought up in this country because they have not had the means to go to England, and who have had the desire to enter the Indian Civil Service, and I believe if equal opportunity and equal facilities were given to them they could compete and successfully compete. They have not been afforded that opportunity because they had not the means of going to England.

41643. Domiciled Anglo-Indians amongst others ?—Quite so.

41644. After the examination will the whole of the results be tabulated in one list and men taken from the top irrespective of whether they are Indians or Englishmen ?—Quite irrespective. I would say it should be any one of His Majesty's subjects so long as he belongs to a country from which Indians are not excluded.

41645. There is a difference of about six hours between here and England. Have you considered the possibility of examination papers in this country being cabled over to England before the examination takes place there ?—I have not considered it, but I can consider it now, and it seems to me a proposition which is open to many and just criticisms which will do away with the apprehension that is existing in your mind.

41646. As regards recruitment from Barristers for Judgeships, you have told us that you have a considerable experience amongst ryots and others. May not you have unconsciously imported into the qualifications of other Barristers the knowledge of the people of the country you have yourself, which knowledge you have gained from relationships quite distinct from your profession ?—During all the years I practised at the Bar I was never conscious of any other character that I possessed than that of a professional man at the Bar, and as a professional man at the Bar I came in contact with Zamindars and ryots intimately, and my ideas were formed on account of the opportunities that were afforded to me, and not on account of any private status I possessed. My knowledge was gained as a member of the Bar who was in requisition by the public.

41647. Do you not possess a considerable knowledge of villagers and others that is not common to Barristers in general, whether those Barristers are Englishmen or Indians ?—I cannot claim a monopoly of all knowledge and say that I am the only one that knows all these things and that the other members of the profession do not know them. I believe there are many Indian Barristers as much qualified as I am to speak of those questions, and to speak with as much authority. Of course I quite recognise that Barristers from England will have in the beginning a little difficulty, but I believe with their education and their breadth of view it will be nothing worse than what it is for members of the Indian Civil Service.

41648. You think it desirable to maintain a British tone in the administration, do you not ? —You mean a moral tone ?

41649. I mean the whole tone including chiefly the moral tone. The British Government is generally believed to differ very much from all that had preceded it. Do you desire to maintain that tone of Government ?—I am a great admirer of British institutions, and therefore the British character of the administration should be kept up, but it does not mean that it should be kept up through British agencies, to the exclusion of the Indians. I believe an Indian brought up on proper lines can administer the country with as much efficiency, keeping the British character of the administration in its integrity, as anyone can wish to have it.

41650. Do you think that tone could be maintained even if there was not a single Englishman in the Government ?—When that day comes.

41651. Do you think it possible or not ?—I am unable at present to realise that such an event ever can happen, but should it ever happen that English people are out of this country and cannot find admission into the Indian Civil Service, that will only be when the Englishman will have degenerated, and when the Englishman has become degenerated he has no business whatsoever to administer any country.

41652. Then you certainly do not hold the opinion I have seen seriously put forward in an Anglo-Bengali Journal that all that is needed in this country is a British Army to maintain the rule and that all Civilian appointments should be thrown open to Indians ?—I trust I shall not be charged with opinions of that sort. If we want to have the British Army to guard us we do not deserve to have any place in the administration. When we are strong enough to guard ourselves give us every opportunity then, but not otherwise.

41653. Do you attach any value at all to the experience that an English Civilian gains during the early portion of his career as an Executive officer ?—If he did not acquire any useful knowledge during the period of his training he would not be much use when he became a District Officer.

41654. You think it is valuable then, but do you think it is valuable to him on the Bench ?—I think he brings a biassed mind to the Bench

which is harmful. I have already said it is a leaven.

41655. A leaven sometimes is advantageous and sometimes disadvantageous ?—That is true.

41656. (*Mr. Fisher.*) Can you tell me whether there are any statistics as to the relation between University success in India and success in after life ?—I know of personal instances of course, but I do not think I should be entitled to give you them.

41657. We have had some remarkable statistics in England, and I was wondering whether there were any here ?—There may be such statistics, but I have no knowledge of them.

41658. Should you say from your own personal experience that the young men who pass the competitive examinations in the Universities here maintain their promise in after-life ?—Some do and some do not. They are not worse in that respect than people in other countries.

41659. You think that there is about the same proportion of successes and failures ?—Yes, from what I know of people I have come in contact with.

41660. I notice that in default of simultaneous examination you recommend a scheme of scholarships. At what age do you propose the scholarships should be chosen ?—That depends entirely on the age limit put on them. I only give roughly, a year one way or the other will not materially alter it. Take the minimum age for appearance at the Civil Service competitive examination as twenty-three—at present I believe it is twenty-two—and give the Indian boy a scholarship for four years.

41661. It has been suggested to us that the scholarships should be given to boys of 13 or 14 so that they might enjoy the benefits of public school education in England before going up for the examination ?—If the finances can afford it I would very strongly urge that, but it would be very difficult for any Government to say that any boy of 12 or 13 gave promise of a man fit for the Civil Service. I do not pretend to be able to say that I could find out whether a boy of 12 or 13 promised to be likely to appear for the Service.

41662. But on the whole you would like to see him get a public school education in England if possible ?—Yes, if it can be afforded, if it cannot be afforded then not.

41663. How many scholarships do you think would be suitable ?—That depends entirely on the amount of money each Provincial Government is prepared to spend or the Imperial Government is prepared to spare for the purpose. I would limit the scholarships to distinguished students of the Universities, not merely on the results of their examination but on the results combined with a certificate of character that would be given by the Principal of the College.

41664. Would you have a certain number of scholarships allotted to each Province ?—Not to each Province but to each University. For instance, you might allot to the Province of Bihar six scholarships and not have six good scholars available in Bihar, and therefore it would follow you would be giving six good scholarships to boys who are practically undeserving. I would give it only to the Universities, on the University results coupled with the certificates of the Heads of the Institutions. I think that ought to be sufficient for the purpose of giving these scholarships. I should like the scholarships to be as numerous as possible, limited only to the most qualified and the best candidates.

41665. Do you think that among the qualifications of the candidate some respect should be had to the family ?—I believe that respect to birth has often to be paid, but it would be unjust and not consonant with justice to make these scholarships the preserves of those who are well-born. General respectability may be looked at, but if there is a well-qualified candidate who happens to come of parents who have no distinction he should not be excluded.

41666. It is an element to which you attach some importance but not a decisive importance ?—I would not exclude anybody on the ground that he is born of parents that are not known.

41667. (*Mr. Chaubal.*) As between these two schemes of simultaneous examination and scholarships, do you really think that the simultaneous examination ought to be put first in point of importance or that the scheme of scholarships should be put first ?—Are you putting the question to me from a practical point of view ?

41668. Absolutely from the practical point of view ?—In answering this question I have to take into consideration the feeling of Englishmen, and I feel that a Britisher is not inclined for it and probably will not give it. Therefore I urge with extreme urgency the grant of scholarships. Speaking personally I prefer the simultaneous examination, but realising as I do that it may not be conceded, I put all my force on scholarships.

41669. Apart from speaking as a practical politician, even taking the case on its merits, do not you think the scheme of scholarships has more advantages than the scheme of simultaneous examination ? You quite admit that Indians who serve in the Indian Civil Service should be by education, culture, and character quite the compeers of their English brothers ?—Yes.

41670. I think you also admit that your institutions at present in the country are not quite adapted to impart that high degree of education which is necessary for the Civil Service examination ?—Yes.

41671. You also admit that for years to come you would not like to see the number of capable English servants diminished ?—If qualified Indians are found I would not object.

41672. Do not you think that the English door is likely to give you more qualified Indians than the system of simultaneous examination here ?—If an Indian is not qualified, he will not get in through the simultaneous examination.

41673. Then what do you get by simultaneous examination ?—I get a great hope for the country.

Once you set simultaneous examination going it gives us every incentive to work up our institutions on proper lines, and I do hope that the time will come when a University system of education here will be considerably improved and educational institutions will be run on lines that will form character. I believe the simultaneous examination will be an incentive to having such institutions.

41674. You want the simultaneous examination in order to remove certain disadvantages under which the Indian candidate at present labours?—Yes.

41675. Even at present you cannot say there is not equal opportunity for the Englishman and the Indian to appear at the competitive examination. There is no disability on the Indian; the door is open. It is only on account of the distance between India and England?—That is why I said that I claim for Indians equal opportunities and equal facilities.

41676. Therefore as long as that opportunity is made equal of enabling candidates to appear in England for the open competitive examination your object would be met?—I would have no grievance then.

41677. Have you conceived what the cost of a simultaneous examination will be to India?—I have not calculated it at all, nor am I in a position to do so.

41678. It has been calculated by one witness that the cost would be between £8,000 and £10,000 a year? Do you really think that with the chance of the few men who are likely to get through a simultaneous examination for years to come the revenues of India should be spent on simultaneous examination or on getting scholarships?—I prefer simultaneous examination. If it means £8,000 or £10,000 I would rather have that money spent on establishing a system of simultaneous examination here than on scholarships. My immediate object is certainly not to elbow the Englishman out, far from it. My object is that the moral tone of educational institutions should be raised, and by establishing a system of simultaneous examination you help to raise that moral tone.

41679. I quite see that, but there are different views unfortunately on the point. Some say that the condition of education in India may be prejudicially affected if all educational institutions sought to get only the Indian Civil Service standard?—It is a very controversial matter and a good deal could be said on either side.

41680. (*Mr. Maude.*) You would not have Pleaders admitted as candidates for District Judges at all as distinct from Vakils?—No.

41681. Is there any difference in their examination?—There is a difference in the examination because the class of Pleaders contain men of two educational standards. First of all you have the man who has passed the B.A. and B.L. examination, and has passed his University examinations, but has not passed the High Court examination that admits him into the ranks of the Vakils. Then there is another class that has passed no University examination so far as the legal examination is concerned, but who has passed the First Arts Examination of the University, and has been admitted to an examination held by the Local Government under the supervision of the High Court, and they are Pleaders. They are men of a lower standard of education. Both these, the one on account of his not being a Vakil of the High Court and the other on account of not being at any time able to be a Vakil of the High Court, come to be under the District Judge, who has complete control over them in certain respects. In status as well as in educational qualifications both of them are inferior to the Vakil of the High Court.

41682. Is it not your experience that many of them are just as able men and good men as the rank and file of the Vakils or even as the better Vakils?—It has to be said to his credit that I find him to be one of the cleverest of lawyers, although they are very exceptional cases.

41683. You do not think there will be any outcry if Pleaders are disqualified?—I do not think so.

41684. No strong public feeling?—I do not think so.

41685. (*Mr. Hussain.*) In answering the Chairman you have made observations which are highly complimentary to the Provincial Civil Service. I take it that your estimate of their capacity and work is based upon your personal experience and actual dealings with that class of officer during the time you were at the Bar?—If twenty years' personal knowledge and intimate knowledge of the work of the members of the Provincial Service is sufficient to form any idea, I venture to say I have entertained for them the highest respect. I consider them to be exceedingly good and capable men.

41686. Has your opinion undergone any change since you were elevated to the bench?—I have had no reason for changing my opinion so far, and I trust I shall have no occasion to change it.

41687. Do you think it would be justifiable, or even desirable, that the number of listed posts open to that Service should be materially increased?—I think so.

41688. You have said in answer to question (22) that the pay of the Service should be increased. Considering the nature of the duties and the arduous work they have to perform, and comparing those duties with the duties of the Superintendent of Police, do you not think it is just and fair that they should rise to grades as high as those of the Superintendent of Police, namely Rs. 1,200?—I have never understood why the distinction has been maintained, and I cannot understand it now. Personally speaking, I should like to see the members of the Provincial Civil Service enjoying the same prospects and the same degree of emoluments as members of the Police Service who rise to the grade of Superintendent of Police.

41689. The present scale of pay for the listed posts is two-thirds of the pay of the posts enjoyed by the members of the Indian Civil Service. Proceeding upon the same analogy, do you think it would be fair and equitable if members of the listed Service claimed two-thirds of the pension now payable to members of the Indian Civil Service?—I have always felt they ought to have two-thirds.

41690. (*Mr. Data.*) In your practice at the Bar you have had frequent occasion to examine the judgments of the Munsifs, Sub-Judges, and District Judges on facts and Law?—Yes.

41691. Do the judgments of Munsifs and Sub-Judges compare favourably with those of District Judges?—My experience of members of the Provincial Civil Service, the Judicial branch, enables me to say that in respect of decisions based on Law they are superior, certainly not inferior, to the District Judges. I am talking of the average. On questions of fact they are as good as any Judge possessed of commonsense. Of course amongst Subordinate Judges and Munsifs I have found faulty men, just as I have found faulty men amongst District and Sessions Judges; but as a class I think they are exceptionally good and efficient men. I have to say the same about them as I have to say about the Deputy Magistrates.

41692. Have you had any reason to change that opinion after going to the High Court?—No, I have found none so far.

(The witness withdrew.)

BASANTA KUMAR MULLICK, ESQ., I.C.S., Superintendent and Remembrancer of Legal Affairs.

Written answers relating to the Indian Civil Service.

41693 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I approve of the present system of recruitment and I accept it as generally satisfactory in principle.

41694 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—I have no alteration to suggest in the system.

41695 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—Yes, as a system of selection, but Natives of India are at a serious disadvantage as the examination is held in England.

41696 (4). Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?—No.

41697 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I think it is to the advantage of Indian interests. It enables Government to get the best candidates and tends to maintain a standard for comparison and to equalise the standards in England and India.

41698 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(*a*) Selection by headmasters of schools approved or otherwise: (*b*) Selection by authorities in Universities approved or otherwise. (*c*) Nomination by headmasters or University authorities and selection under the orders of the Secretary of State: (*d*) Combined nomination and examination: (*e*) Any other method?—I do not propose any alternative.

41699 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—For the present I am strongly opposed to any system of simultaneous examinations. It is impossible to forecast the effect of the impetus which is being given to education. If schools and colleges of the best English type spring up, it may be possible to reconsider the question of simultaneous examinations, but till that time comes I think the question is beyond the region of practical politics.

41700 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—No.

41701 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I am opposed to any such examinations.

41702 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that, whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—In spite of the defects of competition and the attractions of selection I think the balance of advantage is in favour of the former system. It would be positively injurious to the interests alike of the administration and of Indians to introduce class representation as a basis of selection.

41703 (13). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—No.

41704 (14). Are you satisfied with the present definition of the term "Natives of India" in Section 6 of the Government of India Act, 1870

(33 Vict. c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—It is difficult to improve the definition. The only alteration which I would propose is to include the subjects of Native States.

41705 (15). If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—I recommend the limits of 17 to 19. I myself passed in at 19 and came out to India at 21. I spent my period of probation at Cambridge and read mathematics with the intention of taking a degree, but I was unable to stay the whole of my third year. I returned into residence when I took my first furlough, and completed my terms and took my degree. I have taken into account all the arguments urged in favour of recruiting maturer Englishmen, but my personal experience has been that want of malleability is their most fatal defect. I think that as members of the Service they are lacking in *esprit de corps* and in devotion to the country in which their work lies. In respect of Indian candidates I have also taken into account the danger of denationalizing them so that they become neither good Englishmen nor good Indians. But after travelling in almost every country in Europe, I am so impressed with the character of the British people and the excellence of their institutions, that I think the balance of advantage is in favour of training the Indian boy in England from as early an age as possible. If the boy loses the best ideals of his race, the fault generally lies with the parents. In order, however, to meet the legitimate aspirations of Natives of India, I would list one-third of the superior posts. I would make the selections for these posts before the candidates are thirty years of age and would send them on probation to England on an allowance of £150 a year for a course of postgraduate study—preferably in law.

41706 (16). What is your experience of the relative merits of the candidates selected under varying age limits, particularly under the systems in force from 1878 to 1891 (age limits 17—19 years, followed by two or three years' probation at an approved University) and since 1891 (age limits 21—23 or 22—24 years, followed by one year's probation)?—For the reasons above stated I prefer the limits 17 to 19 followed by three years' probation so as to enable the candidate to take a degree in law and to read in Chambers and if possible to get called to the Bar. This to be in addition to departmental examinations in languages and Indian history. If the limits are not reduced to 17—19 then at any rate they should be reduced to 21—23 with one year's probation for reading in Chambers.

41707 (18). What is the most suitable age at which junior Civilians should arrive in India?—Not later than 22. If, however, the limits 17 to 19 are not accepted, then not later than 24.

41708 (19). What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age limits for "Natives of India" and for other natural-born subjects of His Majesty?—I think the higher limits suit Natives of India better, but I do not favour them on three grounds:—First, that the younger recruit is more malleable. Second, that the higher limits tend to shorten the period of residence in England necessary for Natives of India. Third, that the earlier the Native of India goes to England the more he assimilates English ideals. I do not think it would be possible to make a differentiation in respect of age between Natives of India and other subjects of His Majesty.

41709 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well educated young man of the period?—I accept Lord Macaulay's principle.

41710 (21). Please examine the table in Appendix I to these questions, which shows the various phases of the authorised syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (*a*) of school-leaving age and (*b*) of University-leaving age?—(*a*) In the case of candidates of school-leaving age the only alteration I suggest is that Indian history with 500 marks should be made compulsory. (*b*) In the case of candidates of University-leaving age I would add Indian Law (other than Revenue Law) and English Law as compulsory subjects.

41711 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons?—No.

41712 (23). Do you consider it necessary that certain posts should be reserved by Statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 & 25 Vict. c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict. c. 54) and of the Government of India Act, 1870 (33 Vict. c. 3), reproduced as Appendices II and III to these questions.]?—I do not recommend any alteration in the schedule.

41713 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service Cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—I think a minimum of ⅔rds of the Indian Civil Service should consist of European subjects of His Majesty.

41714 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict. c. 3), or with the provisions of the India Civil Service Act, 1861 (24 & 25 Vict. c. 54)? Do you recommend any alterations in this system, and if so, what?—I would abolish the recruitment of Statutory Civilians. In other respects I approve of the present system subject to an extension of listed posts.

41715 (28.) Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—No.

41716 (29). What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your province. Please distinguish in your reply between (*a*) military officers and (*b*) others; and give details of the latter?—(*a*) I have had some experience in Eastern Bengal and Assam of Military Officers serving in posts reserved for the Indian Civil Service. (*b*) I have also had experience of one Police Officer who held a district charge in the Chittagong Hill Tracts.

41717 (31). If the system of recruiting Military Officers in India has been stopped, or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent should it be adopted?—No. In view of the extension of listed posts I do not think it possible to reduce the number of Indian Civilians without interfering with the solidarity and *esprit de corps* of the Service. If the proportion of Natives of India is not increased in the manner suggested, I would empower local Governments to select 5 per cent. from other services.

41718 (33). Please now refer to the rules, dated 26th August 1910, made in exercise of the powers conferred by section 6 of the Government of India Act, 1870 (33 Vict. c. 3), and reproduced as Appendix IV, and to the statement in Appendix V to these questions, showing the number of offices, places, and appointments, commonly known as listed posts, ordinarily held by members of the Indian Civil Service, to fill which it has been declared that members of the Provincial Civil Service can properly be appointed; and say whether the figures given are correct for your province?—I believe the figures are correct.

41719 (36). Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians, been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilised and in what directions?—I think the listed posts should be increased so that one-third of the District Magistrates and Judges are Provincial Service Officers.

41720 (37). Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(*a*) to the members of the Provincial Civil Service; and (*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?—Yes, by hypothesis Civilians are recruited for superior posts and fill the inferior posts only for purposes of training.

41721 (38). Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—Yes.

41722 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—I approve of a system of probation.

41723 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—(*a*) One year. (*b*) If the age is reduced to 17—19, then three years.

41724 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—No. Under the present system I would require them to spend the time in a Barrister's Chambers in London. But if the age is reduced, then I would require them to go to Oxford or Cambridge. I would exclude the Scotch and Irish Universities.

41725 (47). Do you consider that probationers should receive allowances during their period of probation? If so, *please give the scale and conditions that you recommend?—Yes. I would allow £150 a year, on condition (a) of passing the departmental examinations in languages and showing due diligence* in Chamber work—if the age is 21 to 23; (*b*) of taking a degree in law and passing the departmental examinations if the age is 17 to 19.

41726 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—No.

41727 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University

course?—I agree with the principle laid down by Lord Macaulay's Committee.

41728 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you?—(*a*) In the list prescribed for probationers in 1891 I would add English Law as a compulsory subject. I would increase the period of probation to three years and require the candidate to take an Honours degree in Law at his University. (*b*) I would remove all the optional subjects from the list for 1912 except Hindu and Muhammadan Law.

41729 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts.—(i) Whether under the old system (*i.e.*, previous to 1891) or under the new system, I would require the probationer to report cases. (ii) In regard to the teaching of Indian Law I prefer the old system. If the age is not reduced, Indian and English Law should be compulsory in the open competition. (iii) Under either system the teaching of Indian languages is provided for. I would restrict compulsion to only one Vernacular. (iv) (*a*) I would include Indian Geography with Indian History in the new system. (iv) (*b*) I would add Political Economy as a compulsory subject in the new system. (iv) (*c*) I would exclude Accounts.

41730 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—In England. For an English probationer the time is wasted in India and for an Indian candidate residence in England is far more useful than residence in India.

41731 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—I see no advantage in this. The social life of the two great Universities of England is of incalculable value to school-leaving probationers. For those who have finished their University career and are required to reside in London for the purpose of attending Chambers, a Training College, such as is proposed, seems quite unnecessary. The period of training at Fort William was by all accounts not a success.

41732 (55). What is your opinion of a proposal that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—I see no necessity in providing a Central Training College such as is provided for Cadets in the Police. It will be sufficient if Local Governments continue the present practice of sending probationers to selected district officers. The sooner a Civilian enters upon his duties the better for himself and the administration.

41733 (56). In the report of the Treasury Committee appointed to consider the organisation of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in Law required by probationers can be given better in England than in India, because of the difficulties which junior Civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—It would be quite possible to frame a suitable scheme of instruction in India, but I see no necessity for it.

41734 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No.

41735 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—Yes. I would, however, insist on six months' training for every Civilian as Assistant Settlement Officer. This training should be given after the officer has passed his departmental examination.

41736 (61). Is the existing system of Departmental examinations suitable, and if not, what change do you recommend?—I would not require an officer to pass in any subject but the vernaculars, but I would raise the standard in these.

41737 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—Yes. There has been a deterioration. The chief causes are: (i) spread of the knowledge of English among subordinates, (ii) improved communication with Europe, (iii) increase of Europeans in India. Ignorance of the languages and literature of India is seriously impairing the efficiency of the Service. The remedies I propose are to (i) raise the standard of the present departmental examinations, (ii) add a departmental examination in the 7th year of service in which the standard will be that of a Degree of Honour and in which failure will retard promotion but a pass will entitle the examinee to a reward of Rs. 5,000.

41738 (63). Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and if so, what changes?—No: these optional examinations are of little use. The Civilian has so little leisure that the rewards do not tempt him.

41739 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of Law of

members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—If the age for competition is 17—19, I would require every probationer to take a degree in Law during his period of probation which should be increased to three years. During this time he should be encouraged to eat his dinners at the Inns of Court and if possible pass his Bar examinations. Government should pay his call fees in addition to a bonus of £50. If the age for competition is 21 to 23 or 24, I would make Indian (other than Revenue) Law and English Law compulsory subjects in the open competition. During his one year's probation I would require the selected candidate to read in a Barrister's Chamber, to eat his dinners at one of the Inns of Court and to attend the Law Courts. A satisfactory certificate from the Barrister with whom the candidate has read should entitle the probationer to his reading fees and a bonus of £50. On arrival in India the Civilian should have four years' district work inclusive of six months in the Settlement department. He should then try civil cases as a Munsif for six months while at the same time doing his ordinary criminal work. Then he would exercise the powers of a Sub-Judge for a year. If possible he should then be attached for three months to the Legal Remembrancer's office to watch the trial of cases in the High Court. Bifurcation for the Judicial branch would take place between his 7th and 8th year and, if selected for the Judicial, he would be eligible for study leave for one year, to enable him, if he has not already done so, to read in Chambers and to qualify for a call to the Bar. On receipt of a satisfactory certificate from the Barrister with whom he has read he should be entitled to his reading fees together with a bonus of £50. If he gets called to the Bar either during his study leave or during some subsequent leave he should be paid his call fees and a bonus of £50. A High Proficiency and an Honours Examination with suitable rewards should be held for the encouragement of the study of Indian Law. So far as possible the above facilities should also be accorded to officers who have already been selected for the Judicial branch. Reading in Chambers and study of law at the Inns of Court should count for promotion in the Judicial branch. I spent two years of my last furlough in such study and served the Government of Eastern Bengal and Assam as Legal Remembrancer with sufficient success to be chosen for a similar post under the Government of Bihar and Orissa, but I was superseded for promotion to the High Court by an officer who had undergone no such course. To meet the objection that a severer course of study is being prescribed for officers of the Judicial branch than for those in the Executive the emoluments of the ultimate goal, namely, a High Court Judgeship should be raised to Rs. 5,000 per month. There are other grounds also which render such a change desirable. Of these the strongest appear to me to be: (i) the difficulty of obtaining good Barrister and Vakil Judges for the present salary; (ii) the less attractive nature of the work as compared with the Executive branch; and (iii) the paucity of Honours and decorations conferred on Judicial officers. The above contains the main heads of a scheme which I submitted to the Government of Eastern Bengal and Assam once in 1907 and again in 1911.

41740 (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals?—No.

41741 (72). The present theory underlying the conditions of service in the Indian Civil Service is that—(*a*) the members of the Service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—I consider the period of eight years suitable.

41742 (73). It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior posts," and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?—Yes.

41743 (87). Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—No. I would suggest that in every local Government and in the Government of India a Board should be appointed to recommend for promotions and selections. There is at present some dissatisfaction as to the manner in which selection to the higher appointments are made. In particular, some change appears to be necessary for appointments in the Judicial branch. I would suggest that the Registrar on the Appellate Side should be replaced by a High Court Judge whose duties should include inspection of the work of subordinate officers locally and otherwise, and who should be a member of the Provincial Board of Promotion. At present there is great complaint that the High Court of Calcutta is out of touch with the work of District Judges. I would suggest that the Inspecting Judge should annually classify all the District Judges in order of merit upon their work during the preceding year.

41744 (88). To what extent are the functions of the officers of the Executive and Judicial branches of the Indian Civil Service

differentiated? Is any change desirable and, if so, in what directions?—To all intents and purposes the separation is complete. I do not recommend any change.

41745 (92). Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—I have no suggestions to make except that an officiating appointment should carry with it the full pay of the post and that the time has come for a revision of salaries.

41746 (94). Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your province, and if so, what?—I am aware that there is discontent on this score, but I cannot suggest any remedy, except, perhaps a minimum time-scale, to which also I see objections.

41747 (95). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—I think exchange compensation allowance should be abolished and the pay of all officers raised by a reasonable proportion. I think the Secretary of State's refusal to give the allowance to Indian members of the Indian Civil Service worked a hardship. Some of these officers have married in Europe, all must of necessity adopt an English standard of living and give their children an English education. It is felt that the refusal has served merely to cause bitterness and to accentuate race differences. In this connection I have to note that the European members of the Service have adopted an unwise and unreasonable hostility against their Indian colleagues. The extraordinary rise in prices which has taken place within the last 50 years is surely sufficient ground for raising salaries. It is also for consideration whether the Indian members of the Service who have been so long deprived of exchange allowance should not now receive some pecuniary compensation for past losses in the nature of a bonus for each year which has elapsed since the allowance was introduced.

41748 (97). How does the system of acting allowances work in the case of officers selected to officiate in appointments involving increased responsibility? Is it productive of any inconvenience and have you any suggestion to make on the subject?—In my opinion an officiating appointment should carry with it the full pay of the post.

41749 (99). What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service or not?—I think a time-scale is inconsistent with the theory on which the Indian Civil Service is recruited. In the inferior posts the grading already secures the benefits of a time-scale. Perhaps some modified system, limited to officers of 15 years' service, might be devised, but I am very doubtful.

41750 (100). As an alternative do you recommend a system by which each main class of appointment would have a separate time-scale?—No.

41751 (101). What is your experience of the practical working of time-scales of pay in other Indian services?—I have none.

41752 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the Service?—Yes.

41753 (106). Is there any reason to suppose that officers of the Indian Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—I think officers take less leave. I would raise furlough allowance to half pay subject to a minimum of £500. Most officers are in debt when they return from furlough.

41754 (107). Is all the leave on full pay due to them ordinarily taken by officers of the Indian Civil Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—I think the amount earned is suitable, but there was till lately a tendency to refuse privilege leave to junior officers to an extent which operated as a hardship. I have personally suffered from this tendency in the earlier part of my service.

41755 (108). Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—Yes. The present allowance of furlough is to the advantage of the administration. An officer who does not take his furlough regularly is apt to deteriorate.

41756 (109). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—Yes. Subject to answer to question (106).

41757 (111). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative rates fixed in sterling and in rupees, and if so what change?—Yes. I would keep alive the rupee rates so as to discourage officers from spending their leave in India.

41758 (116). Do the present leave rules applicable to Statutory Civilians, or to officers of the Provincial Civil Services employed in listed posts, cause any inconvenience to the Administration, or press hardly on the officers themselves, and in what respects? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—I would maintain the present rules.

41759 (118). Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—Yes. I would raise the pension and annuity of Lieutenant-Governors, Members of the Executive Council, and members of the Board of Revenue to £1,200 a year. I would maintain the present rate in respect of High Court Judges, but would reduce the period from 11½ to 5 years.

41760 (119). Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—I would suggest that contributions should be abolished, but the present rate of £1,000 per annum maintained.

41761 (123). Assuming the substitution of a non-contributory system of superannuation pensions varying in amount with the amount of salary drawn at the time of retirement, please describe the system that you recommend?—I do not approve of this system—it would lead to inefficiency.

41762 (124). Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Yes. The power of dispensing with the services of inefficient officers should be more freely exercised subject to the following safeguards:—(i) Rates of pension to be the same as for retirement on medical certificate. (ii) No retirement to be made except under the orders of the Secretary of State.

41763 (125). Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?—I think the rates of invalid pension should be raised.

41764 (129). Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?—Yes. So far as they affect European officers.

41765 (130). In particular, do you approve of the exclusion from their benefits of "Natives of India," who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?—No. The exclusion of Natives of India has caused much bitterness. The belief prevails that the exclusion is due to race feeling. Insurance Companies make no difference between Indian and English lives and the social conditions of the Indian members of the Service are not now materially different from those of their European Colleagues. If anything, the tendency among the Indian members is to have fewer unmarried daughters. I would make no differentiation in the conditions of admission. Having regard to the necessity of maintaining the solidarity of the Service I think much unnecessary harm is done by the adoption of a policy which may seem petty and ungenerous.

41766 (131). Do you recommend that such admission should be optional or compulsory?—Compulsory.

41767 (132). If you do not approve their admission to the Indian Civil Service Family Pension Fund, do you recommend the formation of a separate Family Pension Fund?—I see no necessity for a separate fund. While on furlough in 1898 I attempted to interest the India Office in this matter. I was asked to submit a scheme. For this purpose I spent some money in engaging an Actuary, but I could not evolve a satisfactory separate scheme as I was unable to guarantee a continuity of subscribers to the proposed fund. The present position however is very unsatisfactory and some action by Government is urgently required.

41768 (134). Have you any criticisms to make on the facilities at present offered—(*a*) to statutory Civilians; (*b*) to members of the Provincial Civil Services holding listed posts; for providing for their families against their decease?—I think they should be allowed to join the fund on the same footing as covenanted officers—especially as I propose that all provincial officers selected for superior posts should be sent to England for two years.

41769 (135). Have you any other proposals to make in regard to the conditions of pension not covered by your answers to the above questions?—No.

41770 (137). Have you any other proposals to make in regard to the Indian Civil Service not covered by your answers to the above questions? If so, please explain them?—(i) If the matter is not concluded by the report of the Decentralization Committee, I would suggest the abolition of Commissioners of Divisions and the Member of the Board of Revenue. The work of the latter can be done by the members of the Executive Council, and in lieu of the former I would suggest a strengthening of the Secretariat. (ii) To facilitate the administrative work of the High Courts I would arrange that they should deal only with the respective Local Governments. (iii) I consider the grouping of more than one district in a Sessions Division unsatisfactory. An increase in the number of District Judges would enable Subordinate Judges to be trained in Criminal work and also materially improve the administration of civil justice. The inability of the District Judge to take up the more important suits and appeals is becoming almost a scandal. (iv) Raising of salaries on account of the rise of prices. I think this is a matter vital to the morale of the Service. Indian Civil Servants as a class are credited by the people of this country with being unduly clannish. In my opinion the charge is true so far as it relates to the defence of an offender for an error of judgment, but I know of no service more prone to punish with severity amounting to injustice the most trivial lapse from its standard of integrity or devotion to duty. It is this feature that has so profoundly affected all subordinate services and it is to the interest of the public to preserve it by every reasonable means. It is, I take it, to this that people refer when they talk of the benefits of an administration run on English lines.

Written answers relating to the Provincial Civil Service.

41771 (1). Please refer to Government of India Resolution No. 1045—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A.

Are these conditions suitable, or have you any recommendations to make for their alteration?—On principle I am opposed to the system of nomination which prevails in the Executive branch. But as there is only one University no difficulty arises in comparing the merits of the candidates. A competitive examination is therefore unnecessary, and I shall be satisfied with the existing system provided the selections are made by the Board of Selection referred to in my answer to question (87) of the questions relating to the Indian Civil Service. When, however, our Universities multiply we should revert to selection by competitive examination subject to a rigorous physical test.

41772 (2). Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your province. Are these rules suitable, or have you any recommendations to make for their alteration?—In the Judicial branch I favour the present system, but would abolish the condition requiring three years' practice at the Bar for Munsifs.

41772(*a*) (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—Please see answers to questions 1 and 2.

41772(*b*) (7). To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?—I do not think it desirable to limit recruitment to residents of the Province. Efficiency should be the main consideration in Government service and administrative officers should be accorded some freedom. The present rule in Bihar and Orissa by which the sanction of Government has to be taken for the appointment of every non-domiciled candidate works well in practice. Such a system tends to produce inefficiency and to perpetuate race jealousies. Some power of nomination should be reserved for exceptional cases. All classes are not proportionately represented in Bihar and Orissa nor will it be possible to secure this result for some time if efficiency is to be an essential consideration.

41772(*c*) (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—No. Government offices cannot be run on the lines of a representative assembly.

41772(*d*) (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and if not, what alterations do you recommend?—Yes.

41772(*e*) (10). Is the existing system of departmental examinations suitable, and if not, what changes do you recommend?—Yes.

41772(*f*) (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—No.

41772(*g*) (12). What is the system on which the strength of the Executive Medical. branch of your Provincial Civil Service is fixed? Do you consider it satisfactory, and if not, what alterations do you recommend?—On the Executive side the state of affairs is, I believe, satisfactory. On the Judicial side the grading should be altered so as to enable a Munsif to become a Subordinate Judge before 48. I also think the number of Subordinate Judges and Munsifs should be increased, the former by 10 per cent. and the latter by 20 per cent.

41772(*h*) (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—I have special knowledge only of the Judicial Branch. Promotion is made by the High Court. I think the results will be more satisfactory as regards promotions to Subordinate Judgeships if a special officer is appointed to combine the duties of Inspecting Judge and Registrar on the appellate side. Complaints have often been heard that the Judge in charge of the English Department is not sufficiently accessible.

41772(*i*) (17). Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—No. For the Executive side I would suggest the Board of Promotions and Selections referred to in my answer to question 87 of the questions relating to the Indian Civil Service should recommend to the local Government both in the matter of selection and retirement. For the Judicial branch the power should rest as now with the High Court.

41772(*j*) (18). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—The state of affairs is the same as in Bengal. Theoretically I am in favour of a separation, but I have seen no satisfactory scheme which does not involve a substantial increase of expenditure. On the whole, I think the present system is suited to the country, and the proposed reform is somewhat a counsel of perfection.

41772(*k*). (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—Yes, but I would still further extend the number of listed posts so

that one-third of the total number of District Magistrates and Judges were officers of the Provincial Services. In this connection please see my answer to question (8) of the questions relating to the Indian Civil Service. The system involves the deputation of candidates selected for listed posts to England for post-graduate study.

41772(*l*) (20). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—Yes.

41772(*m*) (21). Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?—Yes.

41772(*n*) (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the offices appointed? If not, what principle do you recommend?—Yes.

41772(*o*) (24). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—No. I would raise the initial pay of Munsifs to Rs. 250 or Rs. 300. In fact in both branches of the service an all-round increase of pay in the lower grades has become an urgent necessity owing to the great rise in prices.

41773 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time scale, should it be restricted to the lower grades of the Service, or not?—I do not approve of a time scale—it will produce inefficiency.

41774 (27). As an alternative, do you recommend a system by which each main class of appointment would have a separate time scale?—No.

41775 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service. If not, what rates do you suggest for the various appointments?—Yes.

41776 (32). Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and if not, what are the reasons. Is the amount which can be earned in your opinion suitable. If not, what alternative arrangement do you suggest?—On the Judicial side officers take very little leave because they get an annual vacation. I think they should ordinarily be compelled to take some furlough every 5 years.

41777 (39). Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—The amendment of the Provincial Civil Service rules is being separately considered by Government. I approve of the amendments now under consideration.

41778 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—Yes.

41779 (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Yes. The rates of pension should be identical with those for retirement on medical certificate.

41780 (46). Are you satisfied with the existing organisation of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—I am satisfied with the present organisation, except in regard to the number of listed posts. It is the Provincial Service that carries on the administration of the country, and the remarkable progress which India has made in every direction bears striking testimony to the organisation of the Service.

41781 (47). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them? No.

MR. B. K. MULLICK, called and examined.

41782. (*Chairman.*) You are a member of the Indian Civil Service and Superintendent and Remembrancer of Legal Affairs to the Government of Bihar and Orissa and you are now an officiating Judge of the Calcutta High Court?—Yes.

41783. For how many years have you occupied the position of Superintendent and Remembrancer of Legal Affairs?—I was posted as Superintendent and Remembrancer of Legal Affairs to the Government of Eastern Bengal and Assam in March 1910 and then I was transferred in the same capacity to Bihar and Orissa and I held that post for nearly three years till two months ago.

41784. For how many years have you been in the Service?—23 years.

41785. You are in favour of the extended employment of Indians and would like to see *one-third of the Indian Civil Service cadre filled by your own countrymen*?—Yes, *that is to say in* appointments up to district charges, both Executive and Judicial. As regards higher appointments, I would leave matters as they are.

41786. You would select for these appointments largely from the Provincial Civil Service?—Yes.

41787. Do you think that simultaneous examinations should be established with a view to recruitment for the Indian Civil Service?—I am totally opposed to the simultaneous examinations.

41788. I gather from your answer that if schools and colleges of the best English type spring up in India you think it may be possible to consider the question of simultaneous examinations ?—I think so.

41789. Do you think that the simultaneous examinations if established in this country would tend to disturb the best development of education in India ?—Certainly at present. What I want is that the English training as we get it now should not be disturbed ; and when we can supply something as good in India, it will be time enough to consider the institution of simultaneous examinations.

41790. Do you agree with the educational system prevailing in the colleges of India as far as it goes ?—That is a large question. I do not know enough of education to answer that question offhand. But I think the movement is in the right direction. We are now approximating towards the English system ; and that is the best system as far as I can see.

41791. I gather that you apprehend that in the event of such an examination being established in India, the pressure to model the curriculum in the colleges to suit that examination would become irresistible ?—No doubt that would be one of the results. But my main objection is that the men that we would get into the Indian Civil Service would not be the kind of men that we ought to have for the country. They will lack the training which in my opinion can be got in England alone at present.

41792. In selecting from the Provincial Civil Service you would take young men at about 30 years of age ?—Under 30 years. I think after four years' service one ought to be able to say what they are likely to turn out.

41793. Taking them under 30 years of age, would you send them to England for a post graduate course ?—I would.

41794. This you would couple with the persons entering the Service through the open competition at Home ?—Subject to the number of young men getting in in England, I would send the balance up from here.

41795. So that the aggregate comes to one-third ?—Yes, at some future time. You would not be able to do that at once.

41796. The candidates that you send to England from the Provincial Service when they return to India would be confined to positions in the listed posts ?—Certainly ; they would be a part of the Provincial Civil Service, holding appointments in the Indian Civil Service.

41797. Would you afford them the opportunity to go right up the line ?—No. I would limit their promotion to district charges ; that is to say, District Magistrates and District Judges. As for the higher posts, I would leave matters as they are. Indians who passed in England would get promotion as now to any appointment for which they were fit.

41798. You think that the scheme is one which would be better for the future administration of India, than a scheme of supplementary examinations, in India for Indians, with an opening in England, which would enable them to enter the Indian Civil Service ?—Yes, I think so. My objection to the examination in India is that the English training is not got here.

41799. But assuming that a three years' course at the University is made conditional after the examination, would you still stick to the English training ?—I would, because, as the examination stands, it is necessary to go to England much earlier, and stay at least for five years. I would like nothing below five years. Anything that reduces the length of the English training and the age at which it is got, I think, condemns the scheme.

41800. How many years, on an average, does an Indian, intending to go up for the Indian Civil Service, require to stay in England and live there before the examination ?—My total stay was 9 or 10 years. The average, I would say, was five years. It is not possible to get in very much under five years, except in the case of remarkably able young men.

41801. You would not say that an average Indian wants five years prior to the examination in England ?—I think taking the total period of training it will be five years. Taking away one year's probation out of that, I think he should have at least four years.

41802. Did you go home at the school-leaving age, about 18 ?—I went there at 12.

41803. Did you go through a public school ?—I was at a private school. Then I went to University College School, London.

41804. Is it not rather an exception with Indians to go at such an early age ?—No, when the age of admission into the Civil Service was 17 to 19. As a rule, we had to go there early. That is why I favour an early age.

41805. The main reason why you favour an early age is because you insist upon Indians who go to England, having a public school or a school training ?—Yes.

41806. And you do not believe that they could acquire what is termed British tone, unless they go through that double training in a school and University ?—Quite so, that is my belief.

41807. Now, as regards your proposal of promotion from the Provincial Civil Service of these young men, what effect do you think it will have on the rest of the Provincial Civil Service men ?—It will raise the tone of the Service. It is a very fine Service, as it is ; and I think it will make it much better. That is our main object. We ought to get a cheaper Civil Service, if we can.

41808. You do not apprehend any feeling of discouragement or dissatisfaction on the part of the majority that are left behind in the Service ?—No. I think it will be the other way. I think it will stimulate them ; and it will probably raise the whole Service.

41809. I suppose the young man whom you propose to take under 30 will have to prove to you

by some test his superior merit over his fellows, before he is selected ?—Yes.

41810. What form of test would you put him through ?—First of all a physical test. That is very important. Those who get into the Indian Civil Service have to pass a very severe physical test. I should have a correspondingly severe physical test. Secondly, he must be of active habits; and thirdly I would have a board of selection who would, to the best of their judgment, select an intellectually excellent man, who, by practical work, has been able to show his power to command or to get work out of others.

41811. With regard to the recruitment at a maturer age, you consider that an officer is too fixed at the age he reaches this country—at the age of 25 ?—I have considered that matter and I do not like men to come out older.

41812. We have had evidence before us from certain witnesses that an officer, entering the Service earlier than 25, will be immature for the discharge of the responsible duties that are imposed upon him. But you do not fear that ?—I do not.

41813. Any way, putting one point against another, malleability is of greater importance than anything else ?—I think the balance of advantage is greatly in its favour.

41814. And you say it can be acquired by a young man coming out at the age of 22 ?—Undoubtedly.

41815. Do you think that the earlier age will affect injuriously the chances of Indians at the open competition in London ?—I do not think it will. In my time it did not. I do not know what the percentages are, but I think quite a fair number used to get in while young. Then, of course, I qualify my scheme by saying one-third should be Indians. This rectifies the possible deficiency of Indians.

41816. You mean the Provincial Service scheme ?—Yes.

41817. But I understand that the opportunities afforded to an officer in the Provincial Civil Service scheme are not so brilliant as those of an officer of the Indian Civil Service ?—That is so. But I think that the number of men that will get in under the earlier age will be sufficient, at any rate, to give us an Indian Commissioner and Member of the Board of Revenue.

41818. Can you give us any idea, from your past experience, as to the number that got in at an earlier age in your own time, as compared with the present number ?—I have not worked out the proportions. Speaking from memory, I say that there were three Indians out of 45 in my year. In the year before there were two, and for several years there were none. Then I think in a subsequent year there were four. I do not think there would ever be a year in which no Indian would get in. In my time it was much more difficult to send boys while young to England. I had my father and my mother there; both went and resided in England. But now that the question of guardianship has been solved, communications are improved and prejudices are disappearing, I think the supply of Indian candidates will not lessen.

41819. You mean the proportion of those that went up for that examination in your time, that went up early to England, was very small ?—They were all young. They had to go very early.

41820. Am I right in inferring from the answer you gave that the proportion of that 45 that went up for the examination who went home at the age of 13 was very small ?—Out of the total number of candidates that went up for the examination between 17 and 19, the proportion that went to England early was large.

41821. Am I right in my inference ?—What I meant to say was this: the rule was to go young, and stay long, so that the proportion of those that went young and stayed long would be large.

41822. Of these 45 that went up for the examination, from your memory a large proportion of them went to England at the age of 13 ?—No.

41823. Is it 45 Indians that went up ?—45 is the total number of vacancies.

41824. I think we are at cross purposes. I understood that out of 45 Indians that went up 4 got in ?—I do not think that in my time there was a case of 45 Indians going up for the examination. I do not know if there are so many Indians even now.

41825. How many went up ?—7 or 8.

41826. Out of 7 or 8, how many went to England at the age of 13 ?—I think all must have gone very young.

41827. Do you think that the parents would be less reluctant to-day to part with their children at that age than they were before ?—There ought to be much less reluctance, seeing that the question of guardianship has been solved and there are more facilities for boys being looked after.

41828. In answer to question (64), you attach importance to a thorough practical training for the members of the Indian Civil Service who elect for the Judicial branch and you say that training in the Settlement department is of very great value. Can you explain why ?—I should say that in every district or in every division there are settlement operations going on and there are what are known as settlement camps. I should send young Civilians to one of these camps to do work as assistant settlement officers.

41829. You think that is of great value ?—I think the settlement officer is one of the few men in the Indian Civil Service that knows the people well.

41830. In answer to question (87) you suggest the appointment of a provincial Board for promotions ? Have you come across anything in the nature of a somewhat undignified touting for appointments among candidates ?—On the part of candidates personally ?

41831. Yes ?—In the Indian Civil Service ?

41832. No, in the Provincial Service in the system of nominations ?—Yes, certainly.

41833. You would like to see that remedied ?—Yes.

41834. Do you think that it would be remedied by the Appointment Board ?—I think so.

41835. What would be the constitution of that Board ?—I think it is a thing really for the Government of India to consider. I think the Board may consist where there are provincial councils, of three members of the provincial council, one judicial officer and perhaps also a non-official. I would not insist so much about a non-official; but I should certainly have one judicial officer and the three members of council.

41836. Would you like to see any non-official element on the Board ?—I would like to see it, but I do not know where I should find the man. That is the difficulty. On the whole, if the Indian member of the Executive Council is well selected, I shall be quite content to leave it to him to represent the Indian element.

41837. Do you think there will be any difficulty among the whole of the non-official world to find a person with sufficient detachment and breadth of view to take a share in selection ?—As I say, it is difficult to find the man, but I would be quite content to leave the matter in the hands of the Indian executive member.

41838. In your answer to question (88), you say that to all intents and purposes the separation of the functions of the officers of the Executive and Judicial branches of the Indian Civil Service is complete ?—Yes.

41839. You see nothing to object to in the present powers exercised by District Magistrates ?—Nothing.

41840. Have you, in your experience, ever come across cases in which the District Magistrate has exercised pressure on a Subordinate Magistrate in any particular case ?—To convict, you mean ?

41841. Yes ?—No.

41842. Again, in his relations with the police, does the District Magistrate—would you say, —act, on the whole, as a check or as an incentive in that direction ?—I think that his influence is for good.

41843. Do you notice any tendency on the part of the District Magistrate to withdraw more and more from the immediate contact with the police under the new system of organisation ?—Under present conditions the District Magistrate very saledom hears judicial appeals. As regards departmental appeals against punishments of police officers, the District Magistrate does not hear them. I think the appointment of Additional Magistrates also tends to deprive the District Magistrate of the objectionable executive powers, if there are any.

41844. And the actual police authority is largely being taken, and the tendency is more and more towards its being assumed, by the Superintendent of Police ?—Undoubtedly. Specially with the appointments of Inspectors-General who are police officers, I think, in time, there will be hostility between the police and the District Magistrate.

41845. Where you have an Additional District Magistrate, the operation is going on, as it were, in a double direction ?—Yes, I think so. In a few years we shall see the Police and the District Magistrate at logger-heads.

41846. In reference to your answer to question (99), why do you consider that the time-scale is objectionable ?—A man has only got to serve for a number of years to get a certain amount of pay. That is the whole objection.

41847. If you have a separate time scale for each particular class of officers with selection between each class, would you not retain all the conditions of the present system and at the same time get over the difficulties of block in promotion ?—I do not see how it is going to be worked. If there is to be any promotion for capacity, I do not know how the system of time scale would work.

41848. Have you seen the proposals made to us by officers who have come before us ?—I have not seen them. I wanted to see Mr. Kershaw's proposal, but I have not seen it.

41849. Therefore, you are not in a position to give any opinion on it ?—It is a difficult matter. I am not prepared to condemn Mr. Kershaw's proposals without thoroughly examining them.

41850. It deals specifically with this point of mitigating the danger which you apprehend ?—I think in practice men of 8 years' service get the same pay. I do not think the block affects them. After 8 years a man must take his chance. If he is good he will get promotion.

41851. You have known cases in this province of officers whose emoluments have changed several times in a month ?—I do not think it hits the Civil Service very hard.

41852. We have had evidence that it is a grave question in this province ?—I do not know enough about this province. I know that in Eastern Bengal and in Assam there was a great cry that men of 23 years' service were not likely to be first class Collectors. I do not think that is the state of affairs here.

41853. You see that it is an evil in the Service where a considerable amount has to be made up by officers some time afterwards ?—I went through the same thing when I had 8 to 10 years' service. I used to get retrenchment slips very often and I had to pay a lot of money.

41854. In reply to question (7) of the Provincial Service series you say that you are against class recruitment and you plead for efficiency as the main consideration in Government service ?—Yes.

41855. May we understand whether you see any objection to the preponderance of Bengalies in this province ?—No, I do not, because it is only a question of time, and it will right itself. I have seen the working of that in my own office. When I enlist men, I do not enlist them on the principle that all classes are represented in my office. I think that is a wrong principle.

41856. Therefore, you would not confine your recruitment to the residents of the province ?—Certainly not. That is bad.

41857. You are for an increase in the number of Sub-Judges and Munsifs. Would you say from your experience of the province that these officers are overworked ?—I think so.

41858. Generally, do you find that the officers of the Provincial Civil Service are overworked in this province ?—Generally, I think it is true of the Provincial Service.

41859. Do you find that where Additional District Magistrates and Judges have been appointed, a substantial relief has been afforded ?—Oh, yes, undoubtedly.

41860. You ask for a special officer in answer to question (16) who would combine the duties of an Inspecting Judge and of the Registrar of the Appellate Side of the High Court ?—Yes.

41861. To what extent, in your experience, do the Judges of the High Court personally inspect the Courts in the Mufassal ?—Before I became a Judge in 1900, there had been no inspections for many years—for something like 20 years. I am not quite sure of the exact time. But about the year 1905 the High Court began to inspect. A special officer was appointed for the purpose of inspection and that was continued for five years. But now it has been stopped again, so that really we have had inspection only for five years.

41862. You regard it as important that there should be an officer definitely delegated to that purpose ?—Undoubtedly.

41863. Do you think that the work will be more efficiently and speedily done ?—Yes.

41864. (*Sir Murray Hammick.*) I should like to ask you a little more about the proposal of yours to send Home young officers under 30 years of age. These would be men who have served in the Provincial Service in junior appointments and these would be specially selected and sent Home ?—Yes.

41865. What do you mean exactly by post-graduate study ? What is the training that you would give them at Home ?—When I was at Cambridge there were men who came to my College for post-graduate work; they studied for two or three years and took special degrees; it was a recognised form of education, a part of the University curriculum.

41866. What subjects would you make these men take up at Home ?—I think law would be as good a subject as any, and history.

41867. You have no idea of placing them, for instance, under the special advice of the India Office and seeing that they go about and learn the working of our district councils and jails ?—No.

41868. You intend them to go Home for study ?—If a man is any good he will do the rest himself.

41869. For how long would you send these men Home ?—Certainly for two years and if possible for three years. I think two years would enable them to get a degree.

41870. And you would give them £150 a year. You will have to give them their furlough allowance ?—I assume that these men will have a little money. Most of them have. Consequently they would not object to pay the balance out of their own pocket in view of the advantages they get.

41871. Are there any considerable number of men in the Provincial Service who would be likely to be selected for appointments of this kind, but who, owing to their being strict Brahmans, could not find it an easy matter to go Home ?—Not in Bengal and Bihar.

41872. We were told the other day by one Bihari Brahman witness that, in a large percentage of cases, the people he knew in Bihar would object to going Home even if they passed the simultaneous examinations ?—It may be so, but my information is to the contrary.

41873. But you do not think that there would be any practical difficulty ?—I do not think so.

41874. When these men come back, you would put them in district appointments, both as Judges and Collectors ?—Yes.

41875. You would send them Home for both the classes ?—Yes.

41876. Have you any idea of reserving a certain number of posts for the senior Provincial service men who would not go Home by way of encouragement to good work, men in the top of the Provincial Service ?—I think that would be necessary, so far as the men now in employment are concerned. But my scheme would be to let the senior men know that this is only a favour, and that in time only young men would be chosen irrespective of seniority.

41877. You do not think that if you did that as a regular system you would not reduce the standard of work very much among your senior men ?—You mean that men would get lazier once you pass them over. That may happen, and that happens in every service, where there is selection.

41878. You think that the prizes at the top of the Provincial Service are sufficient or would you be inclined to have a grade on Rs. 1,000 or Rs. 900 in the Provincial Service ?—I would do everything to make the gradations up to the post of District Magistrate easier. If it was necessary, I would have a grade on Rs. 1,200, and taking the lowest grade of the Collector to be Rs. 1,500, I would give Rs. 1,200 to one of these provincial men.

41879. I am talking of the senior men of the Provincial Service, who would have no opportunity of ever becoming a Judge or a Collector. Would you be in favour of raising the top grade of the Provincial Service in order to give greater incentive to work for men who are not good enough to be sent Home ?—Possibly that might be done. I would be in favour of it, on the same principle as that under which men get appointed to first grade Judgeships, although they are not fit to go to the High Court?

41880. I understand that really you are very much of the opinion of a witness who came before us in Madras that the whole scheme of the Civil Service is so very abnormal and anomalous that he would not like to see anything done to perpetuate it. Your idea is that gradually the Provincial Service, as a cheaper local service, would take the place of the Indian Civil Service ?—That is what I should like.

41881. (*Mr. Chaubal.*) In your statement in answer to the Chairman that most of those who passed under the earlier age limit went very early or might have gone very early is only a guess, I think ?—I have not worked out the figures.

41882. I know that there were some who went after graduation and after one or two years' college life here ?—When the age limit was 17 to 19.

41883. When it was 19 to 21 ?—In my time, when the limit was 17 to 19, I do not think that there was anyone who came there after taking his degree.

41884. I do not mean a graduate, but persons who have certainly had one or two years of college life. Take the instance of Sripad Thakur, who passed when the age limit was 17 to 19, and he was certainly in the college before he left for England ?—It may be so. Some men are very brilliant.

41885. Surely you do not expect that many parents in India would be able to send young lads at the ages of 11, 12 and 13 to England, in order that they should be able to appear for the Indian Civil Service competitive examination ?—It is a question of fact whether they would do so or not.

41886. From what you know of India, do you think that, from the point of view of expense, many Indian parents would be able to send their children at that age ?—My view is that they would not be deterred.

41887. I am not speaking about being deterred. I want to know whether you think that the country can afford—whether there will be many people who are in a position to send boys to England at the age of 11 and 12 ?—I am only speaking of the time when I was in England and then there were a good number of people.

41888. I ask you that question as you see the country at present ?—I take it that there are some advantages to be gained if the age is reduced from 19 to 17.

41889. You think that many parents would send their boys at 15 ?—Yes.

41890. You think that Indian parents would be able to discover at the age of 15 that their sons would be fit and capable to pass the Indian Civil Service examination ?—I do not think that they should discover that. What I want is that every parent who can afford it should send his boys for education to England at an early age.

41891. In the first place, you see that there will be many parents without means to send their children to England ?—Yes.

41892. Looking at it from another point of view, the cry for the simultaneous examinations was there, when you went to England. So far as Indians are concerned, that has been their cry from the fifties ?—I do not know. The last Commission was here in 1887.

41893. But the cry for the simultaneous examinations has been there for a long time before. There is no suggestion that you make, for satisfying the aspirations of Indians which call for something like the simultaneous examinations ?—I think our aspiration is to learn how to administer : I have provided for it.

41894. Our aspiration, if you will permit me to put the view of those who ask for it, is that it should be open to any Indian, who has the pluck in him, to appear for the competitive examination and take his chance at it in the same way as it is open now to an English candidate to do it ; that is, they claim an equal right. It is in assertion of that right that the demand for the simultaneous examination has ever been put forward. Do you satisfy that aspiration ?—If that is the aspiration, I do not know that I would be willing to satisfy it.

41895. You set a great store by the training in England at a public school and University ?—Yes.

41896. I gather that you are against a separate examination in India, even if it were coupled with three years' residence in England after the examination here, on the ground that young men would not be going there at an impressionable age ?—Yes.

41897. You attach also some importance to that ?—Yes.

41898. At the same time, the only proposal that you make is that the men should be sent about the age of 30 ?—Between 20 and 30.

41899. As a reasonable alternative you will see how it compares with your own suggestion. We have separate examinations and our Indian boys pass through the separate examinations, then they go to England at an impressionable age, and stay there for three years. You reject that suggestion and propose that persons who have been for 3, 4 or 5 years in the Provincial Service, enough to show their superiors that they have the stuff in them—and those candidates are about the age of 30—should be sent Home ?—That is for a separate service and not for the same service. These Provincial Service men will hold listed appointments. You are confusing the two, if I may say so.

41900. You want this one-third to be assimilated with the Indian Civil Service ?—They will do the work as Indian Civil Servants ; but would not get promotion beyond a certain stage.

41901. You want them to be assimilated with the Indian Civil Service up to one-third and you say that is the only door that you open to them. You are opposed to the simultaneous examinations, you are opposed to the separate examinations, and you do not suggest any scholar-

ships, and the only thing you positively propose is : we open the listed posts' door ?—Yes.

41902. I was under the impression that you made that suggestion for making that one-third proportion a part and parcel of the Indian Civil Service ?—No. They will still be the members of the Provincial Service, holding listed appointments.

41903. With two-thirds salary ?—Yes.

41904. That is not the suggestion for giving facilities to Indians to appear for the Civil Service examination ?—No, the Indian Civil Service remains as it is.

41905. You have no proposal to make so far as it may conduce towards a larger employment of Indians through the competition door or through any competitive system ?—I do not quite follow you.

41906. Am I right in supposing that you have no suggestion to make for enabling Indians to enter the Indian Civil Service through any competitive test ?—Except as it obtains at present.

41907. Except as it obtains at present, with the age brought down ?—Yes, with the age brought down.

41908. You have no fear that it will lessen the present number of Indians ?—I do not think it will.

41909. But if you look into the recent figures —I do not mean of your time—you will find that the generality of candidates who are now in England, if you take those who are now studying at Cambridge, have taken their B. A. Degree and gone to England for study for two or three years. If you take the figures for the last ten years, you will find that it is only men who have taken some degree that go and stay there, never for more than three years. To stay there for more than three years is very exceptional ? —Yes.

41910. If you reduce the age from 19 to 17, you have no apprehension that the number of Indians—the class of people who now go—will be less ?—I do not think on the whole that the percentage of the successful candidates would be less.

41911. I have only one or two questions more. I gather you have served as Legal Remembrancer ?—Yes.

41912. Is it a part of the Legal Remembrancer's business to pass opinions and make recommendations for sanction to appeal against acquittals ?—Yes.

41913. For that purpose, you get reports from District Magistrates ?—From Commissioners. The Commissioner reports to the local Government and the local Government ask the Legal Remembrancer for his opinion.

41914. What is the material that comes before the Legal Remembrancer ?—The reports of the Commissioner. The Commissioner reports to the local Government and the Legal Remembrancer as the legal adviser of the Government advises the Government.

41915. That is only in theory. What is the substance. Is not the substance this, that the Legal Remembrancer, before he gives his opinion, corresponds with the District Magistrate ?—He never corresponds with the District Magistrate.

41916. Does the Commissioner do anything beyond forwarding the report of the District Magistrate ?—He has to read the records and he generally rejects a lot of incompetent appeals and sends up only those that he thinks will stand.

41917. I do not think that is the system in the other provinces. There the District Magistrate writes direct to the Legal Remembrancer ?—That is not the case here.

41918. In your experience what would be the percentage of cases you rejected in the recommendations for appeals against acquittals ?—That is a very difficult question to answer. I cannot give the figures.

41919. I want your impression ?—I cannot give it to you. It is very difficult to say what will be the percentage.

41920. There is only one more question. You were asked by the Chairman about the District Magistrate trying to press his view on Sub-Magistrates and you interpreted that to mean as pressing for conviction. You said that that was not so ?—Yes.

41921. That is not the point. What is your impression about the belief which is held that Indian Sub-Magistrates of first, second and third classes dispose of certain cases with a view to how their decision will be regarded by their superior executive officers ?—I do not think there is anything in it. I mean in "no conviction, no promotion."

41922. I am not speaking of "no conviction, no promotion." I do not think that you have understood my question ?—I beg your pardon.

41923. My question is, take the cases under Abkari, Forest and Revenue Laws. In those cases, the Magistrate is both a Tahsildar and a criminal Magistrate ? Do you think that the belief is not justified that these Magistrates in such cases dispose of them with an eye to how their work will be regarded by executive officers ?—Speaking from the judicial records, that I have seen, I have not found that to be the case.

41924. You can very rarely find that sort of thing from looking at the records ?—What other tests have I ?

41925. That is what I ask you—whether that belief is, in your opinion, justified or not ?—I do not think that people really believe that because the Deputy Magistrate is a subordinate to the District Magistrate, a link in the machine, therefore, he convicts with an eye to what the District Magistrate thinks. I do not think that is the case.

41926. In the reports that you spoke of, reports from the District Magistrates and reports from Commissioners, did you not often find remarks by the District Magistrate to the

Commissioner against a Magistrate? Did you not see those remarks quoted in the reports which you got from the Commissioner?—Criticisms of judgments, certainly.

41927. It might be a criticism of the judgment in cases in which you do not eventually recommend sanction for appeal?—Might be.

41928. Still you think that the executive officer is not likely to form any good or bad opinion about that particular Magistrate?—It may be that in such a case the Commissioner may form an adverse opinion.

41929. That may not affect his prospects?—I do not think, as a matter of fact, it affects them, for, if one District Magistrate entertains certain opinions about an officer, it does not follow that the Government takes that view.

41930. (*Mr. Fisher.*) You propose, as I understand you, that a certain number of selected members of the Provincial Service should be taken young, sent to England, and on their return put into listed posts. Do you not expect that a system like that might cause a certain amount of discontent among the senior members of the Service, who are passed over?—That is inevitable. That is the case in every Service.

41931. You do not think that it would be a serious objection in the way of your proposals?—I do not think so. Selection is a very good thing if properly carried out.

41932. (*Mr. Madge.*) The efficiency of any public officer is dependent on the one side on the British tone that you attach so much importance to, and on the other side on the sympathetic attitude towards Indians. Have you any apprehension that taking a boy to England very early in life, might alienate him from the latter?—No.

41933. Then there is a lurid picture that has been drawn in some quarters that the mental attitude in a Magistrate is rather subjective than objective?—Yes. If you have to judge as to what is, in the mind of another person, it must be subjective.

41934. It is the individual rather than the administration that has to be blamed, if there is any blame that is to be attached?—Yes. I mean that that is a general proposition which is very difficult to discuss.

41935. As regards the Statutory Civil Service do you think that the system was inherently bad or that the selections were unfortunate?—I do not like selection. I like competition. I think some competitive test should be adopted, before a candidate enters the Government service; then after that make such selection as you like.

41936. In answer to question (45) you say that you would exclude the Scotch and Irish Universities. Then you refer to Oxford or Cambridge. Is it because of the residential character of these Universities?—That is chiefly my point; and also because association with Englishmen is more advantageous to Indians than with any other race in the British Isles.

41937. You do not think that many strong men have come out from these Scotch Universities?—I would not for a moment deny that.

41938. As regards the imaginary line drawn at 8 years between superior and inferior posts, you know, of course, that there are at least some men who have been 8 years in the Service and who have not risen to Rs. 1,000?—That may be.

41939. I speak of that, with reference to your objection to the time-scale. Do you not think that if the time-scale to which you object were admitted up to Rs. 1,000 grade, it would remedy a practical evil, without having other unfortunate consequences?—I think, as a matter of practice, young Civilians get Rs. 900 at the end of their 6th or 7th year of service, so that I would not adopt the principle of a time-scale merely for the sake of Rs. 100. I think it is a vicious system in itself and I object to it. I would not sacrifice my principles simply for the sake of the extra difference of Rs. 100.

41940. (*Mr. Abdur Rahim.*) With reference to the proposal to reduce the age to 17 as a minimum for the Civil Service examination, I should like to ask you from your experience of men who passed into the Indian Civil Service in your time or shortly before or shortly after that, as to whether their careers have been successful in any large proportion. I ask this question, because arguments have been advanced against early age, that, so far as the Indians are concerned, a certain proportion of them break down afterwards?—You ask me whether any abnormal proportion of these have broken down?

41941. A fairly large, perhaps abnormal, proportion under the circumstances?—I do not think so. I know cases where Indians have broken down and I also know cases where Englishmen have broken down.

41942. That is with reference to age. I am asking you specially with reference to India?—First of all, I will take the whole and then the Indians.

41943. I should like you to confine yourself to Indians. Some have got in under the older age and some have got in under the younger age. I should like you, from your own experience of men brought in under the younger age, to tell me as to how they fared?—I know two.

41944. I do not want names?—I am only thinking myself. Out of the total number who got in between the ages of 17 and 19, the total number who broke down is two; that is two out of 8 to 10 Indians. The two that broke down are included in the total number.

41945. Two broke down completely?—Yes.

41946. As regards the others, is there any proportion of them, who are less efficient than the rest?—I think the others are quite as good as the average.

41947. The next question in this connection that I should like to ask you is this: as regards Indians going to England at the age of 13, I think, in your time, if I am not mistaken, those who went there at that age were those whose families went to England?—Not all.

41948. Mostly I should think ?—I do not say that.

41949. Their parents had been there ?—There are some candidates whose parents were not there.

41950. With some it may be the case, but mostly it was the case that the parents settled down there for the time being ?—It is very difficult to say exactly. I fancy that there were more whose parents were there, than those whose parents were not there.

41951. That makes it rather difficult for Indians. If Indian boys of 13 have to be properly looked after, it is desirable that their guardians should be there ?—Facilities are now greater. It is no doubt a hardship to go there ; but I think under the present circumstances, I would rather face that hardship.

41952. You would not advise, having regard to the other conditions that I have spoken of, that parents of boys of that tender age should risk sending their children, supposing they could not provide for proper guardianship ?—As I say, all these things are much easier than they were even in my time. If the question of guardianship was where it was 20 years ago, still I think I would face the difficulty.

41953. Am I right in supposing that there are fewer families from Bengal now settled down in London than in your time ; at any rate there is no increase ?—That is because of the increase of age.

41954. You would not ascribe to that, the fact of the number of families settled down being less ?—I think I would.

41955. There are other causes at work ?—There may be.

41956. Am I right in supposing—there has been evidence to that effect both here and in other Presidencies—that public opinion is in favour of Civil Servants coming at a more mature age rather than at a less mature age ?—You think people prefer that.

41957. They think that they are more satisfactory officers in their relations with the people. I want to know whether that is not so ?—It is very difficult for me to say what the prevailing opinion is. So far as I know, I do not think that the public have any definite view either one way or the other.

41958. We have evidence to that effect ?—That is a matter for the Commission to judge.

41959. You are not in a position to say that there is no such opinion ?—My evidence will be negative. So far as the public are concerned, they do not feel that the one is any worse than the other ; that is from the public point of view. From the Service point of view, I have a very definite opinion ; that the one set is very much better than the other.

41960. I am talking of public opinion, opinion of the class of people that you would come in contact with ?—I would not say that the feeling in the districts is definitely on the side of the older men.

41961. You make a suggestion that they should be an Inspecting Judge and Registrar of the High Court. Is he to perform the ordinary duties of a Judge or not ?—That is a matter for the High Court to settle.

41962. If the whole of his time is not occupied in inspection, he will have ordinary duties to do ?—He will form part of the ordinary judicial cadre.

41963. Surely you will have no Judge doing no judicial work, but simply inspecting courts ?—I think during the rains he will do judicial work, and he will tour in the cold weather.

41964. What you want is that there should be supervision over district Courts ?—Also the Registrar at present is much too young an officer to have charge of the important work that he does : for instance, I would say that it requires a man of the standing of a High Court Judge to be able to pronounce on the quality of the work of Munsifs, Sub-Judges and District Judges.

41965. You mean to say that the Judges in the English Department have not got information regarding Munsifs and Sub-Judges ?—Only second and third hand.

41966. So far as the Judge going on inspection is concerned, he will be able to supply the information to the High Court or to whoever the officer concerned may be, but he has to depend upon District Judges ?—Yes.

41967. And upon their own experience of work as Judges of the High Court ?—When he inspects a district, I suppose he will do so in the same manner as a Commissioner inspects a district. The Commissioner stays there for 10 or 15 days. Why cannot the High Court judge do the same ?

41968. I am not suggesting that he cannot do it ; but it is somewhat of a novel suggestion that there should be a judge simply doing the work of inspection and doing the Registrar's work ; a suggestion which does not strike me as feasible ? It does not seem to me impossible of execution.

41969. The Registrar is a Ministerial officer and you would not have a Judge doing the Registrar's work ?—At present, appointments of Munsifs and the grant of leave to Munsifs, practically rest with the Registrar. He sifts their qualifications and makes a report. All that I say is that, instead of an officer of 8 or 10 or 12 years' standing doing the work, it would be better to have an officer of 23 years' standing.

41970. As regards the promotion of Munsifs to Sub-Judges' places, do not the High Court decide these matters in Committee ?—Yes, I suppose so, though I am not quite certain how they do it. It must be done by the English department in Committee.

41971. They do not do it at meetings of the Judges ?—I do not know. How these things are done the public cannot know.

41972. It is done in the Madras High Court when all the Judges sit together at a meeting ?—I do not know how the appointments are made.

41973. Is not the procedure in Calcutta the same ?—I do not know. I have not had such a sitting as yet.

41974. You have had no experience ?—No.

41975. Will you tell me what would be the exact advantages you find in this system of the executive and judicial functions being combined in the District Magistrate ?—I think the onus is on the other side to show the disadvantage.

41976. I want to know what the advantages are. It is not a question of pressing ?—The advantage is that it exists and has done well.

41977. Can you point to any particular advantage which you contemplate ?—One thing is that it would be cheaper than the other. In what way would you like me to state the advantages.

41978. What are the advantages which this system gives to administration ?—The financial advantage is one ; the object of the Government is to administer justice quickly and well.

41979. Will you then kindly tell me how this enables the District Magistrate and the Subordinate Magistrate to administer justice more quickly than under any other system ?—I say that it satisfies requirements. I do not say that it is more satisfactory than any other system.

41980. Except the financial advantage, you cannot refer me to any special advantage of this system ?—It is not for me to state the virtues of the system.

41981. It is not a question of defending or changing the system. I want to know whether there is any special advantage ?—I cannot say. You are asking for "special" advantages.

41982. I want a "positive" advantage : if you like, you can have it that way ?—I am afraid that it is not possible to answer in that way, because you are throwing the onus on me.

41983. Your position, as I understand it, is this : there are no particular disadvantages in the system ?—I will put it in this way. I am unable to devise any better system, having regard to the finances and the condition of the country.

41984. What is the particular advantage in the condition of the country ?—First of all cheapness, and secondly, the districts are administered well.

41985. You do not suggest the contrary, if there were a separation of these two functions ?—I do not say that it would not be administered as well.

41986. A Judge while he is deciding a case does his best, I assume, and he is not conscious of doing anything wrong. He is doing his best honestly. As to whether the way in which he is administering justice satisfies the public or not is the question. I suppose the public opinion would, at any rate, be some index of it ?—Some weight should be given to public opinion and I think that the public have a right to feel that justice is being done. They have a right to feel that,

41987. We Judges cannot claim that we are above public opinion ; Judges or any officers cannot claim that, can they ?—It is just as important that people should feel that justice is being done as that it should in fact be done.

41988. That is what I am putting to you. Suppose there is such an opinion in the country against the combined system and the financial difficulty is got over, would you still object to it ?—No. I have only stated that this is a counsel of perfection and I am quite prepared to say that it is a good system.

41989. In what sense do you say it is a counsel of perfection. Is it impossible of attainment ?—I do not mean it in any bad sense.

41990. It would be a better thing to have ?—If it is possible to have it, it would be better : but I do not see any particular necessity for it.

41991. We may not see it. Many Judges do not realise that there is any dissatisfaction at the way the work is done ?—Quite so.

41992. I just want to know a few facts regarding the legal work done in your office. I suppose in suits to be instituted by Government or defended by them, you are to advise the Government and this is one of the duties of the Legal Remembrancer ?—Yes.

41993. In all cases or in more important cases ?—No written statement or plaint can go in without my authority.

41994. Who draws up the plaints and written statements in the district ?—Government pleaders.

41995. You advise the Government as to whether a suit should be instituted or defended by the Government ?—First of all the Commissioner and then I.

41996. Who is the expert officer who gives the opinion ?—The Legal Remembrancer.

41997. You call for information, if I am right, from the senior Government pleader or the junior Government pleader ? —As the case may be.

41998. If it is important you get the opinion of the senior Government pleader ; otherwise the opinion of the junior Government pleader ?—Yes.

41999. In specially difficult cases, you get the opinion of the Advocate General and the Standing Counsel ?—Yes.

42000. Similarly, in advising appeals in civil cases, you obtain the opinion of law officers ? —Yes.

42001. In criminal cases also the procedure is the same, except that instead of the Government going to the Government pleader, senior or junior, they obtain the advice of the Deputy Legal Remembrancer in appeals against acquittals ?—I do not know what it is in Calcutta. In Eastern Bengal and Assam the services of my Deputy Legal Remembrancer were required for special work, and therefore everything came to the Legal Remembrancer.

42002. In Calcutta the practice is otherwise ?—We have no Deputy Legal Remembrancer in Bihar and Orissa.

42003. Where there is a Deputy Legal Remembrancer who is generally a Barrister, it

is upon his advice that the Legal Remembrancer generally acts and in some cases he differs ?—It may be ; I do not know.

42004. Have you any experience of the Bar in this province ?—A little. I was in Bihar last about 10 years ago. I served as district officer in Bihar 15 years ago.

42005. Was it as a District Judge ?—As a District Collector and Joint Magistrate.

42006. You have experience here as a District Judge ?—I have never been a District Judge in Bihar.

42007. I see you are strongly in favour of competition as against selection ?—Yes.

42008. Right through even for promotions, I find ?—I do not quite understand.

42009. What I mean is that even for promotions you would rather have a Board. You would not leave it to ordinary methods ?—I would have a Board, because I think it is better for the Service to feel that it has been done by a Board.

42010. I take it that the passing over for promotions may cause a great deal of dissatisfaction in several cases in the service ?—Undoubtedly.

42011. Do you think that the evil is quite as great as favouritism in the case of selections ?—Wherever you have got a Service, you must face that. You cannot help it.

42012. I am putting it to you; supposing you had a Board of selection, would it not be more satisfactory than competition ?—The Board of promotion will come in only after the man has entered the Government service.

42013. Why should it not be used for the purpose of selecting people for the Government service ?—At present where there are very few Universities—in Bengal we have only one University—we know the University qualifications of the candidates that come up, because the standard is the same, and therefore the Board has merely to look at other qualities and it is easy for the Board to do so. But when Universities multiply, I would have competition for the purpose of entering into Government service. You could not say whether the standard of the B. A. of the Calcutta University is the same as the standard of the B. A. of the Dacca University.

42014. But surely they would be practically approximating to the same standard ?—One of the main reasons for not having selection in England is that there is no recognised standard of qualifications.

42015. But otherwise you see no objection to selection being made by properly constituted Boards ?—I do not like selection at all as a means of entering Government service.

42016. (*Mr. Maude.*) You have said in reply to question (13) that you do not recommend any separate method of recruitment for the judicial branch of the Indian Civil Service. You have given us no reason for it. Can you give us any reasons for that answer ?—My reason would be the same as I gave to the question of the separation of the judicial and executive functions. That is to say, the present system is working well and I do not see any necessity for a change.

42017. You are aware that there is a strong demand in many quarters that District and Sessions Judges should be recruited from practising lawyers ?—Yes.

42018. You are not in favour of that ?—No.

42019. Do you think you would get from as good a class of Judges as you do from amongst Civilians ?—With the safe-guards that I have provided for training in law, I think a Civilian would be a better Judge.

42020. You are also of opinion that executive training is of great use to a judicial officer ?—Absolutely essential.

42021. Do you think that a training of the same nature can be obtained by 3, 5 or 10 years' practice at the Bar as a lawyer ?—No. That is the great disadvantage about it. The lawyer, I do not think is such a good Judge as a man experienced in district work.

42022. (*Mr. Datta.*) Do you not recommend privilege leave for provincial judicial officers on full pay ?—They get the vacation.

42023. But they do not get the privilege on full pay and I ask you whether they ought to get it on full pay or not ?—They get a vacation of $2\frac{1}{2}$ months. I think they should get it, but there is the argument against it.

42024. They do not get $2\frac{1}{2}$ months but only 33 days ?—There is something to be said for not giving it to them, although I myself think that it would be a graceful concession to give them privilege leave on full pay, instead of on half pay.

42025. You know they are not given privilege on full pay, because they get vacation for 33 days. In the same way, educational officers get a long vacation, High Court officers get a long vacation?—I think I started by saying that I wanted the conditions of the Provincial Service and other services improved and that the judicial officers and executive officers are both over-worked, and if any privileges are given to them, I should not object.

42026. I put it to you in this way: educational officers get a long leave for 72 days, and High Court officers also get a long leave of 72 days, whereas provincial judicial officers get only 33 days. Under these circumstances should not judicial officers get privilege leave on full pay? Would you recommend it ?—I would recommend it.

42027. I would like to ask you about question (40) which relates to superannuation pensions, whether you are satisfied with it. You say in answer to it "yes." I would put it to you in this way: you know, as a fact, that provincial judicial officers are not generally confirmed before they are 32 or 31 ?—I propose to alter that.

42028. It may come into effect afterwards. But at present they are not generally confirmed before 32 and by the time they attain 55 they do not complete 25 years' service. Under these circumstances should not the superannuation pensions be at 22 or 23 years' service instead of after 25 years' service ?—No. The Government has the right to demand at least 25 years' service from everyone before giving him pension.

42029. But in the circumstances in which the qualifications are demanded, they cannot put in 25 years' service ?—I would not alter pension rules. But I would alter the date of admission.

42030. That would also be difficult under the present system ?—I would not change the pension rules.

42031. At present a boy cannot go up for the Matriculation Examination until he is 16 and it takes 7 years to become a B. L. and 9 years to become M.A., B.L. That is, he becomes 25 years old ?—I should admit a man at 25.

42032. You will dispense with 3 years' practice ?—Yes, I have proposed this.

42033. If the present rules exist should not the period of service be reduced in order to enable a man to qualify himself for superannuation pension ?—I would not do it. If a man likes to go into service under these conditions, it is his own look out.

42034. But he cannot put in 25 years' service ?—That is his own look out. I would make it a hard and fast rule that 25 years' service should be put in before any pension could be given.

42035. (*Mr. Hussain.*) In answer to question (24) you say that you would like the initial pay of the judicial branch of the provincial service to be raised to at least Rs. 250 ?—Yes.

42036. I think you know that a Member of the Executive branch now begins on Rs. 250 ?—Yes.

42037. Would you like to see this inequality removed ?—Yes.

42038. Would you like a similar inequality removed in the pay of the higher grades of the two services—namely, the highest pay in the judicial branch is Rs. 1,000 and in the Executive branch is Rs. 800. Would you like that inequality to be removed ?—Certainly.

42039. There is one thing in this answer of yours which I confess I am not able to appreciate. You say "in fact in both branches of the Service an all-round increase of pay in the lower grades has become an urgent necessity ?" —Yes.

42040. Increase of pay in the lower grades—I am not able to follow you ?—For instance, I will take the Executive Branch, the pay of the grades is Rs. 250, Rs. 300, Rs. 400, Rs. 500, Rs. 600, Rs. 700 and Rs. 800 ?—What I say is that I should like to see that lowest pay raised—say up to Rs. 350. I should like to see Deputy Magistrates and Munsifs begin on Rs. 350 or Rs. 400, if that was possible. That is a financial question.

42041. You say "in the lower grades ?"—Suppose Rs. 1,000 is the ultimate limit, I would divide it by two and would give increments to those drawing less than Rs. 500. I would begin some of these officers on Rs. 350 or Rs. 400 instead of on Rs. 250. I have not worked out the details; but the idea in my mind is that it is not possible, having regard to the dignity of the office, for a Deputy Magistrate or a Munsif to live on Rs. 250 or Rs. 200.

42042. Then I take it that you want that the initial pay of the Deputy Collectors should be raised ?—Yes.

(The witness withdrew.)

(Adjourned to Lucknow.)

LIST OF APPENDICES.

PAGES.

I.—Notification containing the Rules for the training and examination of officers serving in the Province of Bihar and Orissa. 283

II.—Notifications of promotions and reversions of officers of the Indian Civil Service. 291

III.—Officials, Non-officials and Associations in Bihar and Orissa who, at the request of the Royal Commission, furnished written answers to the interrogatories printed on pages v—xxxviii of this volume, but who were not orally examined. 297

IV.—Officials, Non-officials and Associations in Bihar and Orissa who furnished written answers to the interrogatories printed on pages v—xxxviii of this volume, in response to a notification published in the Gazette, but who were not orally examined. 298

APPENDIX I.

(Referred to in Question No. 37983.)

The 15th October 1912.

No. 4449A.—The following rules for the training and examination of officers serving in the Province of Bihar and Orissa having been sanctioned by the Lieutenant-Governor in Council, and approved by the Government of India, are hereby published for general information:—

PART A.

Rules for the training of Probationers, Assistant Magistrates, Deputy Magistrates and Sub-Deputy Magistrates.

1. It is the duty of the District Officers to look to the practical training of young officers placed under them, from the commencement of their official life until they acquire a practical experience of their work and qualify themselves for the exercise of higher powers by passing the prescribed examinations. District Officers are expected to take an active interest in the well-being of the young officers placed under them.

2. The following rules apply to Probationers appointed direct to the Provincial Executive Service and to the Subordinate Executive Service:—

(1) The minimum period of probation will be twelve months. Probationers shall, during their probationary service, be trained so as to get as much experience as possible in Magisterial and Revenue Courts, with a view to acquiring a knowledge of office routine. During this period they should study the Codes and the Acts to enable them to go up for their Departmental Examinations as soon as they are permitted to do so. For Probationers who are appointed in the ordinary way in the autumn this will be in October or November of the succeeding year. But officers who are appointed at other times will not be allowed to go up until twelve months have elapsed from the date of their appointment.

(2) Each Probationer will be trained in the Magisterial Department for three months, and in the Revenue Department, including (1) Tauzi and Government Estates, (2) Land Registration, (3) English office, (4) Munshikhana Registers, (5) Certificates, (6) Record-room, (7) Cess and Revaluation, (8) Nizarat, (9) Excise and Income-tax, (10) Treasury,* for nine months. The amount of time spent in each Revenue Department will depend on the amount of work in that department of the particular office to which the Probationer is posted.

(3) Probationers should not take up Partition, Survey and Settlement, or Land Acquisition work. These departments form the subject of special training.

(4) The Collector should maintain a register showing, with reference to the work in his office, the amount of time a Probationer will spend in each department.

Training in Magisterial Work.

(5) Probationers should, while under training in the Magisterial Department, attend the Court of a first class Magistrate, selected by the District Magistrate, during the trial of criminal cases. They should be required to prepare a full, complete, and careful record of the depositions of the witnesses and a concise summary of the evidence given. They should also be required to take notes of the arguments of the pleaders, discuss the application of the law to the facts of the cases reported by them, and write a decision. This should be done in at least six defended cases.

(6) The records of the cases prepared under Rule (5) should be submitted by the Probationer to the trying Magistrate, who should examine them with a view to see that they are intelligently prepared. He should point out any obvious mistakes. The records should also be occasionally examined by the District Magistrate or the Joint Magistrate.

(7) Probationers should be deputed to examine the various registers kept in the Criminal Courts, and to submit inspection reports according to the Inspection Manual. They should also inspect the Record-room and other Departments of the Magistrate's office according to the Manual. The inspection note should be submitted to the District Magistrate through the Deputy Magistrate in charge.

Probationers may also be deputed for miscellaneous inquiries in regard to criminal cases when the inspection of a locality or other matter is important; and they might be examined in Courts as to their reports. They might also conduct enquiries in chaukidari and other simple matters.

Training in Revenue Work.

(8) Probationers should not be required to work as clerks, or to write up registers; they should, however, prepare notes or *précis* of cases and should draft letters. They should see all the papers which go up to the Deputy Collector, and the Deputy Collector should utilise their services in any way that he can in connection with them. The Deputy Collector should see that each Probationer makes himself acquainted with the law and rules bearing on subjects dealt with and should in selected cases require him to prepare a note explaining the procedure or the reason for the action taken. In departments the work of which involves the keeping of accounts or registers, Probationers should check and initial entries made in registers, check the accounts and examine the preparation of returns. They should also inspect each department according to the Inspection Manual, and the Collector might utilize their notes of inspection for his own inspections. They should also attend inspections by senior officers.

(9) At the end of the probationary period in any department, or under any Deputy Collector, the Deputy Collector should record a note in the register referred to in Rule (4),

* *N.B.*—Probationary Deputy and Sub-Deputy Collectors, while undergoing their training in Treasury work under this rule, may, as heretofore, be placed in subordinate charge of Treasuries, under rule 24 of the Rules in Part II.

stating how the Probationer has attended to his duties, and giving an opinion as to his industry and ability. This should be shown to the Collector.

(10) Probationers should keep a diary, and record briefly the work done by them daily. The diary should be submitted to the Deputy Collector under whom they are working for the time being, and should be seen periodically by the Collector.

3. As a preliminary to their passing the Departmental Examinations, Assistant Magistrates, Deputy and Sub-Deputy Magistrates, and Probationers, who are required under Rule 2 in Part B of these Rules to appear at the examination, have to prepare records* of criminal (including sessions) cases as laid down in Rule 22 of the Rules in that Part. Assistant Magistrates are also required to receive a thorough training in the Tauzi Department and Collectorate Record-room under the special supervision of the Collector.

* Probationers appointed direct have to prepare these records in addition to those required by Rule 2 (5).

PART B.

Rules for the Conduct of the Departmental Examinations.

SECTION I.

GENERAL.

1. These rules shall apply to the members of the Indian Civil Service, the Executive Branch of the Provincial Civil Service, and the Subordinate Executive Service. The rules applicable to other officers will be found in the Appendices to these rules.

2. All Assistant Magistrates, Deputy Magistrates and Collectors, and Sub-Deputy Collectors [except those who are exempted under Rules 25—27 *et seq.* or such Probationers as are debarred from appearing by Rule 2 (1) in Part A of these Rules] who may have been more than six months on duty, shall, and those who have been less than six months on duty, may, at their option, be subjected to half-yearly departmental examinations, and shall be required to pass according to the standard or standards of examination which may be applicable to them respectively in each subject, according to the rules hereinafter set forth.

3. To direct and control these departmental examinations a Central Examination Committee will be appointed by Government. It will consist of a President and of as many members (of whom one shall be Secretary) as the Government may think proper to appoint from time to time.

4. The examinations will be held at such stations as the Local Government shall from time to time direct. For the present officers stationed in Orissa will be examined at Cuttack, and all others at Patna (Bankipore).

5. The Central Examination Committee may, on sufficient cause being shown, permit the appearance of an officer for examination at a station other than that at which, under ordinary circumstances, he would be required to present himself.

6. The examinations will be conducted, under the instructions of the Central Committee, by Local Committees to be formed at the several stations at which examinations are to be held.

7. The Local Committee at each station shall consist of the Commissioner, the Collector (or Deputy Commissioner), and an Indian officer to be selected by the Commissioner. In the absence of the Commissioner, the Judge (or Judicial Commissioner) shall take his place on the Committee. In the event of the Collector being unavoidably prevented from attending, for reasons to be submitted to the President of the Local Committee in writing, the Commissioner or Judge may appoint a Deputy Magistrate or other Indian officer to take the Collector's place on the Committee.

8. The Government will, in communication with the Central Committee, fix the dates for the half-yearly examination, which shall be the same for every district. The first half-yearly examination will usually be held in the month of April or May, and the second in the month of October or November.

9. Each Divisional Commissioner shall report to the Chief Secretary the names of intending examinees at least one month before the date of examination, specifying at which centre each is to attend. Heads of Departments will, in the same way, notify to the Chief Secretary the names of intending examinees in their respective departments.

10. The Chief Secretary to Government, after collecting all the lists, will prepare a complete list of all officers liable to appear at the examination, and forward a general list to the Secretary to the Central Examination Committee, at least three weeks before the examination, and extracts to the Presidents of the Local Committees.

11. It shall be the duty of the Central Committee to prepare, previous to each half-yearly examination, sets of questions to be put to the examinees, to forward a sufficient number of copies of each of such sets to the President of each Local Committee in a sealed packet, to determine the order in which the examination in each paper and subject shall be held, and to arrange all other details for the conduct of the examinations. The time fixed for each paper shall be notified in the *Bihar and Orissa Gazette*. The Central Committee shall, from time to time, lay down rules for the guidance of the Local Committees, in order to ensure a fair and uniform method of ascertaining the proficiency of the examinees in each subject.

12. The sealed packet of papers shall remain in the custody of the President of the Local Examination Committee, who shall not open it until the time of examination. The Committee shall superintend the written examination of the examinees only so far as may be necessary to ensure its being conducted with proper strictness. They shall not examine the written answers, but shall forward them to the Central Committee with a statement specifying the marks which they assign to

candidates for conversational proficiency in the vernacular, in regard to which their decision shall be final.

13. The Central Committee, after perusing the examination papers and the opinion of the Legal Remembrancer on the record of cases prepared by officers under Rule 22 of these Rules, shall report to Government the names of such officers as, in their opinion, have passed, noticing specially, in the order of merit, those who may have passed with distinction. They shall also report the names of those officers who have succeeded in some of the subjects only, and also of those who have not, in the opinion of the Legal Remembrancer, prepared the record of cases satisfactorily, or who have been allowed to appear at the examination, but have still to submit the record before they can be adjudged to have passed. The certificate of treasury training required of examinees in Accounts under Rule 24 should also be submitted to Government with the results of the examination.

SECTION II.

SUBJECTS AND STANDARDS OF EXAMINATION.

A.—LANGUAGES.

14. The vernacular languages in which examinations will be held are Hindi, Uriya, and Bengali.

15. There will be two standards—the Lower and the Higher—and a candidate must, except as hereinafter provided, pass by the Lower Standard before he can appear at the examination by the Higher.

16. (1) The following are the text-books* prescribed for the examination:—

N.B.—The course for the Lower Standard will ordinarily be 200 to 300 pages and the course for the Higher Standard will not ordinarily exceed 400 pages. The books or portion of books selected for each examination will be duly notified.

HINDI TEXT-BOOKS.

Lower Standard.

1. Pincott's translation of "Sakuntala" (102 pages).
2. The prose portion of the "Sangrah Shiromani" (68 pages), published by the Indian Press, Allahabad.

Higher Standard.

1. "Swarnalata," translated by Radha Krishna Das, and published by Ramkrishna Varma, Bharat Jiwan Press, Benares (336 pages).
2. "Adh Khila Phul," by Pandit Ayodhya Sinha Upadhya (176 pages), published by the Kharga Vilas Press, Bankipore.
3. "Mudra Rakshas," by Harischandra, published by the Kharga Vilas Press, Bankipore (131 pages).

* *N.B.*—The change in text-books will not have effect till after the examination to be held in November 1912, at which the books or portions of books prescribed by the Government of Bengal for the last examinations will be used.

URIYA TEXT-BOOKS.

Lower Standard.

1. "Katha Lahari," by Raghabanand Das (145 pages).
2. "Chhaman Athagunth," by Fakirmohan Senapati (180 pages).

Higher Standard.

1. "Bibasini," by Ram Sankar Ray (188 pages).
2. "Kanchikaberi," by Ram Sankar Ray (75 pages).
3. "Bhagbat Tungi," by Durmuk Sarma (138 pages).

BENGALI TEXT-BOOKS.

Lower Standard.

1. "Upakatha," by Jnanendra Shashi Gupta (338 pages).
2. "Nutan Ginni," by Jaladhar Sen (117 pages).

Higher Standard.

1. "Yugantar," by Sibnath Shastri (Story) (296 pages).
2. "Toruhala," by Amrita Lal Bose (147 pages).
3. "Galpa Guchchha," by Rabindra Nath Tagore (Part I, 448 pages, Part II, 481 pages).
4. "Swarnalata," by Tarak Nath Ganguli (259 pages).
5. "Muchiram Gurer Jiban Charitra," by Bankim Chandra Chatarji (47 pages).
6. "Radharani," by Bankim Chandra Chatarji (65 pages).
7. "Yugalanguria," by Bankim Chandra Chatarji (50 pages).

(2) The following are the tests prescribed for the two standards of examination:—

I.—The Higher Standard.

A.—Transliteration. Reading current handwriting in the vernacular.*

A document of the more difficult description of office papers, selected and lithographed by the Central Examination Committee, shall be transliterated into the Roman character according to the system prescribed in the circular order of the Bengal Central Examination Committee No. 254, dated the 3rd November 1902. Special marks will be assigned for the correct use of this system.

B.—A written translation from the vernacular into English.

The paper shall contain passages both from the prescribed text-books and from an unseen official document. The passage selected from the latter should be a brief one.

C.—A written translation from English into the vernacular.*

(*i*) Passages translated into English from the text-books by the Central Examination Committee shall be retranslated into the vernacular by the examinee.

* The Hindi books prescribed are in the Devanagri character, but the candidate should write in Kaithi and the official document for translation and transliteration will be in that script.

(*ii*) A brief passage from an English judgment or other official document of a somewhat difficult nature, selected by the Central Examination Committee, shall be translated into the vernacular by the examinee without assistance and in a generally correct manner.

D.—*Vivâ voce* examination in the vernacular.

(*i*) The examinee shall be tested in conversation with several Indians of various classes in such a manner as to satisfy the Local Committee of his power to make himself understood by them and to explain himself with clearness and sufficient propriety in the vernacular in an argument or topic of some difficulty. The text-books may furnish topics for conversation.

(*ii*) The examinee shall be made to translate orally to the Local Committee a passage from one of the text-books, the passage to be translated being first read out by him in the vernacular.

(*iii*) An ordinary piece of English narrative prose, *e.g.*, the deposition of a witness shall also be handed to him, and after being allowed to read it through he shall be required forthwith to give a fluent oral translation of it.

NOTE.—In the oral translation it is essential that the candidate should show his ability to give what to a Native listener would be an intelligent version of the piece set; literal accuracy need not be insisted on, but a substantially correct rendering of all points should be required. It is not necessary that each candidate should translate the same piece, just as it is not necessary that the *vivâ voce* examination of each should involve the same conversation.

(3) The maximum and the pass marks assigned to each branch of the examination and the time allowed for the papers are subjoined:—

Subjects of examination.	Maximum marks.	Pass marks.	Time.
1	2	3	4
1. Transliteration . .	20	10	1 hour.
2. Translation from vernacular.	20	10	2 hours.
3. Translation from English.	20	10	2 do.
4. *Vivâ voce* examination, Part (*i*).	20	10	20 minutes.
5. *Vivâ voce* examination, Part (*ii*).	10	5	
6. *Vivâ voce* examination, Part (*iii*).	10	5	

II.—The Lower Standard.

(4) For this examination the tests shall be the same as the above, but the papers should be less difficult. The proportion of marks to be obtained in order to pass, and the time allowed for the papers, shall be the same as for the Higher Standard above described.

B.—LAW.

17. The examination in Law shall be directed as far as may be feasible to points which frequently arise in practical work; and the papers to be answered with the aid of books shall be such as will thoroughly test the capacity of the examinees to understand the bearing of facts and to ascertain the law and apply it. The questions should be confined as much as possible to cases commonly arising in the ordinary routine of the office of a Magistrate and Collector. Certain facts of probable occurrence in real practice should be stated, and the examinee required to find and apply the law applicable to such facts. Only unannotated editions of Acts or Codes and Manuals issued by authority will be allowed in answering this paper.

18. For the purpose of the examination of these officers, Law is subdivided into the following two parts:—

I. Criminal and Civil Law, and the Law of Evidence.
II. Revenue Law.

19. There will be four sets of question papers in the examination in Law, *viz.*, one in each part to be answered with, and another without, the aid of books.

20. The scale of marks fixed and the time allowed are as follows:—

Subject of examination.	Maximum marks.	Number of marks required to pass by the		Time allowed.
		Lower Standard.	Higher Standard.	
1	2	3	4	5
				Hours.
Without books .	150	60	100	3
With books . .	150	*	100	3

N.B.—No officer will be deemed to have passed by the Higher Standard in either part, unless at the same examination he obtains at least 100 marks in the examination with, and also in that without, books.

21. The Acts and Regulations from which questions will be set are shown below:—

LAWS AND REGULATIONS IN THE EXAMINATION WITHOUT BOOKS.

PART I.—CRIMINAL AND CIVIL LAW AND THE LAW OF EVIDENCE.

Serial No.	Act.	Subject or short title.
1	Act XLV of 1860 .	The Indian Penal Code, Chapters 2, 4, 5 and 8, and definitions of all offences.
2	Act I of 1872 .	The Indian Evidence Act, omitting Chapters VIII and X.
3	Act V of 1898 .	The Code of Criminal Procedure, Chapters 4, 9, 15—21, and 24—26.
4	Act V of 1861 .	The Police Act.
5	Act VI (B. C.) of 1870.	The Village Chaukidari Act.
	And all amending Acts.	

* Officers are not required to pass by the Lower Standard in the paper with books.

Part II.—Revenue Law.

Serial No.	Regulation or Act.	Subject or short title.
6	Regulation I of 1793	The Bengal Permanent Settlement Regulation.
7	Regulation VII of 1822.	The Bengal Land Revenue Settlement Regulations.
8	Regulation IX of 1825.	
9	Regulation XI of 1825.	Alluvion and Diluvion Regulations and Acts.
10	Act IX of 1847 .	
11	Act XXXI of 1858 .	
12	Act IV (B. C.) of 1868.	
13	Act XI of 1859 .	The Bengal Land Revenue Sales Acts.
14	Act VII of 1868 .	
15	Act VIII of 1885 .	The Bengal Tenancy Act (omitting Chapters X, XII, XIII, XIIIA, XIV, XVI and XVII).
16	Act I (B. C.) of 1895	The Public Demands Recovery Act.

And all amending Acts.

LAWS AND REGULATIONS IN WHICH THE EXAMINATION WILL BE WITH BOOKS.

Part I.—Criminal and Civil Law and the Law of Evidence.

Acts of the Governor-General in Council.

Serial No.	Regulation or Act.	Subject or short title.
1	Act XLV of 1860 .	The Indian Penal Code.
2	Act XIII of 1859 .	The Workman's Breach of Contract Act.
3	Act IV of 1909 .	The Whipping Act.
4	Act I of 1871 .	The Cattle Trespass Act.
5	Act I of 1872 .	The Indian Evidence Act.
6	Act X of 1873 .	The Indian Oaths Act.
7	Act XI of 1878 .	The Indian Arms Act.
8	Act XVIII of 1879 .	The Legal Practitioners Act.
9	Act XVIII of 1891	The Bankers' Books Evidence Act.
10	Act VIII of 1897 .	The Reformatory Schools Act.
11	Act V of 1898 .	The Code of Criminal Procedure.
12	Act IX of 1872 .	The Indian Contract Act.
13	Act XVI of 1908 .	The Registration Act.
14	Act V of 1908 .	The Code of Civil Procedure.
15	Act XVIII of 1850	The Judicial Officers' Protection Act.
16	Act VII of 1870 .	The Court Fees Act.
17	Act VI of 1908 .	The Explosive Substances Act.
18	Act XIV of 1908 .	The Indian Criminal Law Amendment Act.

And all amending Acts.

Bengal Acts.

19	Act III of 1885 .	The Bengal Local Self-Government Act.
20	Act II of 1889 .	The Private Fisheries Protection Act.
21	Act I of 1885 . .	The Ferries Act.
22	Act III of 1884 .	The Bengal Municipal Act.

And all amending Acts.

Part II.—Revenue Law.

Regulations.

Serial No.	Regulation or Act.	Subject or short title.
23	Regulation I of 1793	The Bengal Permanent Settlement Regulation.
24	Regulation VI of 1793.	The Bengal Decennial Settlement Regulation.
25	Regulation II of 1819	The Bengal Land Revenue Assessment (Resumed) Land Regulations.
26	Regulation III of 1828.	
27	Regulation VIII of 1819.	The Bengal Patni Taluks Regulation.
28	Regulation VII of 1822.	The Bengal Land Revenue Settlement Regulations.
29	Regulation IX of 1825.	
30	Regulation IX of 1833.	
31	Regulation XI of 1825.	The Bengal Alluvion and Diluvion Regulation.
32	Regulation XII of 1817.	Patwaris.
	Regulation I of 1819	Kanungos and Patwaris.

Acts of the Governor-General in Council.

Serial No.	Regulation or Act.	Subject or short title.
34	Act IX of 1847 .	The Alluvion and Diluvion Acts.
35	Act XXXI of 1858 .	
36	Act XI of 1859 .	The Bengal Land Revenue Sales Act.
37	Act I of 1878 .	The Opium Act.
38	Act XIX of 1883 .	The Land Improvement Loans Act.
39	Act XII of 1884 .	The Agriculturists' Loans Act.
40	Act VIII of 1885* .	The Bengal Tenancy Act.
41	Act I of 1890 .	The Revenue Recovery Act.
42	Act I of 1894 .	The Land Acquisition Act.
43	Act II of 1899 .	The Indian Stamp Act.
44	Act XXXII of 1855	The Embankments Act.
45	Act X of 1897 .	The General Clauses Act.

And all amending Acts.

* One question at least should always be set on Chapter X of this Act.

Bengal Acts.

46	Act IV of 1868 .	The Alluvion Act.
47	Act VII of 1868 .	The Revenue Sales Act.
48	Act VIII of 1865 .	The Bengal Rent Recovery (Under-Tenures) Act.
49	Act V of 1875 .	The Bengal Survey Act.
50	Act VII of 1876 .	The Land Registration Act.
51	Act V of 1909 .	The Bengal Excise Act.
52	Act IX of 1880 .	The Cess Act.
53	Act I of 1895 .	The Public Demands Recovery Act.
54	Act V of 1897 .	The Estates Partition Act.
55	Act VII of 1866 .	The Bengal Embankment Act.
56	Act IX of 1879 .	The Court of Wards Act.
57	Act I of 1899 .	The General Clauses Act.

And all amending Acts.

22. Assistant Magistrates, Deputy Magistrates, and Sub-Deputy Magistrates who are liable to examination in Law, and Probationary Deputy and Sub-Deputy Collectors who are allowed under Rule 2 to appear at any departmental examination, are required to prepare a full, complete and careful record of six cases tried by a first class Magistrate and six defended† cases tried by a Sessions Judge, to be selected for the purpose by the District Magistrate. The record should consist of (i) a summary of the evidence with notes on it, showing its admissibility and applicability to the offence charged; and (ii) notes on the procedure with reference to the codes, *e.g.*, to such matters as the rules as to cross-examination, re-examination, drawing up of charge, and taking the statement of the accused. It should be understood that value will be given to useful notes based on annotated editions of the Criminal Procedure Code, Penal Code, Evidence Act, Woodman's Digest, and recognized text-books. The record of each case should be prepared during or after attendance in Court as the trial proceeds. The District Magistrate will forward these records to the Legal Remembrancer or other officer appointed by Government, who will send a statement of his opinion on them to the Central Examination Committee for consideration and submission to Government with the result of each half-yearly departmental examination. If in his opinion an officer has once prepared the records satisfactorily, he will not be required to do so again, even although he may not be adjudged to have passed in law; but if

† The phrase "defended cases tried by a Sessions Judge" should be read as including appellate cases, but three at least of the cases to be reported on should be regular sessions trials. In the Sonthal Parganas, cases of appeals from first class Magistrates heard by the Deputy Commissioner should be substituted for appellate cases of a Sessions Judge.

he fails at any examination to prepare a satisfactory record he will be adjudged to have failed in law, although he may have gained pass marks in the papers on the Codes and the Acts. Anyone who for good reason has been unable to prepare the record as required by this rule may, with the previous sanction of Government, present himself for examination, but he will not be adjudged to have passed in law until he has submitted records to the satisfaction of the Committee.

C.—Accounts.

23. The examination in Accounts will be of one standard and *mutatis mutandis* the instructions in Rule 17 apply to it. Only one paper will be set. The questions which will be confined to the books named in the subjoined list will be of a practical character, and will be framed so as to test the examinee's knowledge of account principles and his ability to apply his knowledge to concrete cases. The candidates will be allowed the use of the books, but, except in the case of the Civil Account Code, without their indices. The time allowed will be three hours. The maximum marks will be 150 and those who obtain 90 or upwards, will be deemed to have passed—

(*a*) The Civil Account Code, Volume I, Chapters 1 to 6, 10, 15, 17 to 20, 29, 30 and Appendix K.
(*b*) The Subdivisional Treasury Rules.
(*c*) The Rules of Account for Judicial Officers prescribed by the High Court.
(*d*) The Bengal Treasury Manual.
(*e*) The Local Fund Rules.

Every Assistant Magistrate, Deputy Magistrate and Sub-Deputy Collector shall undergo a training in treasury work, and shall for that purpose be placed in charge of a district treasury, under the general supervision of the Deputy Collector ordinarily in charge, for a period of not less than six weeks continuously. He will not be held to have passed the examination in Accounts until the Collector of the district, to which he is attached, shall have furnished a certificate that he has, under the above provisions, duly attended to, and satisfactorily discharged, the duties of treasury officer for the prescribed period of six weeks, within one year prior to the date on which he appeared for the examination in Accounts. The Collector will see that this certificate is forwarded to the Central Examination Committee at each Departmental Examination.

SECTION III.

LIABILITY OF OFFICERS TO EXAMINATION.

A.—General.

24. An officer who has passed completely by the higher standard under the rules hitherto in force will not be liable to examination under these rules, except as hereinafter provided.

25. An officer who, under the rules hitherto in force, has passed partly by the higher standard or completely or partly by the lower standard, will be regarded as having passed by the corresponding standard in the corresponding subjects under these rules, and as liable to examination in all other respects as if he had come under these rules from the commencement of his service, provided that an officer who has passed under the rules hitherto in force by the lower standard in Accounts, shall not be required to pass the examination in Accounts under these rules.

26. An officer who succeeds in passing by either standard in a language or by either standard or part of a standard in Law shall not again be required to present himself for examination by the same standard or part of a standard in any subject in which he has been successful, but only in the subject or subjects in which he has failed.

27. An officer otherwise liable to examination in a vernacular will be exempted on producing a certificate that he has passed in the language,* which he has to offer, at the Matriculation or such other examination as in the opinion of the President of the Central Examination Committee is equal or superior to it. Subject to the above proviso all officers are required to pass by the language examination according to the following rules:—

(1) An officer posted on first appointment to Bihar or Chota Nagpur must pass in Hindi, both by the lower and higher standards.

(2) An officer so posted to Orissa must pass in Uriya, both by the lower and higher standards, and in Hindi by the lower standard.

(3) An officer transferred from another part of the province to Orissa, if he has less than twelve years' service but not otherwise, must pass in Uriya within two years of his transfer. If he has already passed in Hindi by the higher standard, he may proceed direct to the examination in Uriya by that standard, but otherwise he must pass in it by both standards.

(4) An officer similarly transferred from Orissa, if he has less than twelve years' service, must pass in Hindi within two years of his transfer. If he has passed in Uriya by the higher standard, he may proceed direct to the examination of Hindi by that standard. Otherwise he must first pass in it by the lower standard, unless he has already done so.

(5) An officer transferred to or from Orissa before he has passed the language examinations, to which he was previously liable, will be required to pass only in those prescribed in clauses (3) and (4) above. If subsequently retransferred, his case will be governed by the same clauses.

(6) Officers with less than twelve years' service who are transferred to districts or subdivisions† where Bengali is the sole or one of the court languages will be required to pass in it by the higher standard within two years of their arrival.

(7) The penalty for failure to pass within the periods prescribed above will in each case be stoppage of promotion until the examination is passed.

28. The penalty for delay in passing, imposed under these and the succeeding rules, will ordinarily cease to operate when the officer passes. On passing, he will be placed in the

* For the purpose of this rule Urdu and Hindi are distinct languages.

† These are the Man'hum district and the Kishenganj, Pakaur and Jamtara subdivisions.

same position with regard to future promotion as if he had passed in the ordinary course. But this does not cancel penalties incurred under the rules hitherto in force.

B.—Special Rules affecting the Members of the Indian Civil Service.

29. All officers of the Indian Civil Service save and except those referred to in Rules 24 and 25 will be liable to examination in languages under the rules in sub-section A above, as also in Law and Accounts.

30. An officer who has passed by the lower standard in the language of his district and in Part I of Law, will, after he has exercised the powers of a Magistrate of the third class for a period of six months, ordinarily be vested with the powers of a Magistrate of the second class and of a Deputy Collector, and will be allowed to draw pay at the rate of Rs. 450 a month.

When he has passed completely by the higher standard in Law, he may, after he has exercised the powers of a Magistrate of the second class for a period of six months, if the Commissioner so recommends, be vested with the powers of a Magistrate of the first class, and be allowed to draw pay at the rate of Rs. 500 a month, but will not be eligible to officiate as a Joint-Magistrate until he has passed in the language of his district by the higher standard and in Accounts.

31. An officer of the Indian Civil Service who, in conformity with the requirements of Rule 27 of these rules, has passed in all the three vernacular languages of the province, will be entitled to a reward of Rs. 500.

32. An officer of the Indian Civil Service will be permitted to present himself for examination by both the higher and lower standards of the language examination at the same time. If he passes in either of the papers, he will be held to have qualified by the lower standard, but pass-marks must be obtained in both sets of papers to qualify for the higher standard. No other officer shall be permitted to offer himself for examination by both standards of the same language at one examination.

C.—Special Rules affecting the Members of the Executive Branch of the Provincial Civil Service and the Subordinate Executive Service.

33. These officers, except as provided in Rules 24 and 25, will, unless specially exempted by Government, be liable to the same examination in Law, Languages and Accounts as members of the Indian Civil Service.

34. An officer liable to examination under Rule 33, who has passed in Accounts by the lower standard in Law and, if liable to examination in a language,* by the lower standard in that language, will be eligible for confirmation in the lowest grade of his service, or in that to which he was, on first appointment, admitted. When he has exercised the powers of a Magistrate of the third class for a period of six months, he may, if recommended, be vested with the powers of a Magistrate of the second class.

35. An officer who has also passed by the higher standard in Law and in any one language in which he is liable to be examined, and who has exercised the powers of a Magistrate of the second class for a period of six months, may, if he is so recommended, be vested with the powers of a Magistrate of the first class: he will then be eligible for promotion to a higher grade.

36. An officer, who is liable to examination in Hindi or Uriya by the higher standard, will not, until he has passed, be promoted to any grade higher than the penultimate grade of his service or the grade above that to which he was first appointed.

37. Subject to the above rules all officers who may be eligible for confirmation or promotion will, unless considered unfit for other reasons, be confirmed or promoted in order of seniority if vacancies are available.

38. Any officer who does not pass completely by the lower standard within two† years of his first appointment as a probationer, will be liable to be removed, unless it shall be shown that any special circumstances entitle him to consideration; and, if he does not pass within a year subsequently, unless prevented by sickness or other circumstance beyond his control, he will, without fail, be removed from the service. Officers will be expected to pass by the higher standard within four years of their first appointment as probationers; if they fail to do so, they will render themselves liable to removal from the public service.

39. Any member of the Provincial or the Subordinate Executive Service who becomes liable to examination in a third vernacular language under Rule 27 of these rules will, on passing it, be eligible for a reward of Rs. 180.

SECTION IV.

MISCELLANEOUS.

40. Officers attending these examinations will be allowed travelling allowance, subject to the rules laid down in Section IV, Chapter LIV of the Civil Service Regulations.

41. No application from any junior officer liable to examination for privilege leave, or leave on private affairs, will be entertained if the following half-yearly examination takes place before the expiry of the leave applied for, unless the application specifies that the applicant will attend the examination.

42. If an application for leave is made in such a case and the application is submitted

* This does not apply to Hindi in the case of officers posted to Orissa who are liable to examination in Hindi by the lower standard as well as in Uriya.

† 1. In the case of officers admitted to the service as Probationers before May 1911 or as substantive *pro tempore* officers before May 1912, the time limit for passing the Departmental Examination will be the same as that prescribed at the time of their admission. To others, the rules now published will apply.

2. In the case of officers who may hereafter be admitted to the service as substantive *pro tempore* officers of any grade, or in the case of officers in Government service, who may hereafter be admitted as Probationers, the rules now published will apply subject to the modification that the ordinary time limit will be one year for passing the lower standard examination and three years for the higher standard.

3. For the purpose of this rule Accounts will be treated as a lower standard examination.

to Government, it should be stated that the officer is liable to pass an examination, and that the next examination will be held within the period of the leave applied for. This will enable Government to decide whether, for the reasons stated, the leave should be granted; and, if so, on what conditions.

43. These rules do not include examinations in tribal languages for passing in which a special reward is given under the rules in Part C.

PART C.

Rules for the Encouragement of the Study of the Tribal Languages.

1. Examinations will be conducted in the following tribal languages:—

Group I.—Ho, Mundari, Santali.
,, II.—Oraon, Rajmahal Paharia.
,, III.—Khond.
,, IV.—Nepalese Paharia or Khas Kura.

2. Officers of the following classes, whether European or Indian, shall be eligible to appear at these examinations and draw the rewards stated:—

Class I.

Members of the Indian Civil Service.
Members of the Executive Branch of the Provincial Civil Service.
Members of the Judicial Branch of the Provincial Civil Service.
Superintendents, Assistant and Deputy Superintendents of Police.
Civil Surgeons and Civil Medical Officers.
Deputy, Assistant, Extra Deputy and Extra Assistant Conservators of Forests.
Executive and Assistant Engineers.
Members of the Indian or Provincial Educational Service.

The rewards for officers of Class I are as follows:—

Rs. 1,000 in the case of all the languages specified, except Nepalese Paharia, for passing in which the reward will be Rs. 500.

Class II.

Members of the Subordinate Executive Service.
Inspectors and Sub-Inspectors of Police.
Civil and Military Assistant Surgeons.
Members of the Subordinate and Lower Subordinate Educational Services.
Overseers, Supervisors and Sub-Engineers of the Public Works Department.

The rewards for officers of Class II are as follows:—

For officers whose salary is Rs. 150 or over, half the amount prescribed for Class I.

For officers whose salary is less than Rs. 150, one quarter of the amount prescribed for Class I.

3. An officer desiring to appear at an examination shall apply for permission to the Commissioner of the division in which he is serving, who may grant permission provided that he can certify that the language is spoken within the district where the officer is employed at the time, or by tribes conterminous to it with whom he has official relations:

Provided that an officer who has fulfilled the above condition and is subsequently transferred may be permitted to present himself for examination on applying within one year from the date of such transfer, the Commissioner of the Division from which he was transferred granting the necessary certificate.

4. In the case of officers of the Provincial Judicial Service, the certificate referred to in Rule 3 will be furnished by the Judicial Commissioner of Chota Nagpur or the District Judge. All applications for permission to appear at an examination under this rule should be submitted to the Commissioner of the Division through the Judicial Commissioner or the District Judge who will obtain the sanction of the High Court.

5. No reward will be given—

(1) to any officer for proficiency in a second language of the same group;
(2) to an Indian officer for passing an examination in any language with which from his birth or education he is naturally familiar, or which is closely allied to his vernacular language:

Provided that such officers may be permitted to present themselves for examination.

6. The examinations will be conducted under the control of the Commissioners of the Bhagalpur, Chota Nagpur and Orissa Divisions, as noted below, who will convene local committees for the purpose—

Commissioner of Bhagalpur	Group	I.—Santali.
	,,	II.—Rajmahal Paharia.
	,,	IV.—Nepalese Paharia.
Commissioner of Chota Nagpur	,,	I.—Ho and Mundari.
	,,	II.—Oraon.
Commissioner of Orissa . .	,,	III.—Khond.

7. The tests which a candidate must undergo are as follows:—

(*a*) He must be able to converse freely with the people of the tribe, in whose vernacular he may wish to qualify, to understand and to make himself understood by them.

(*b*) He must write down sentences spoken in the tribal language by one of the tribe or a conversation held between two of them, and must explain the sentences of the conversation correctly in English.

(*c*) He must without assistance translate from English or his mother tongue into the tribal language sentences not of a more difficult nature than those described in clause (*b*). The translation must be substantially correct and intelligible to a native in whose language it is written.

N.B.—In the case of Khas Kura the writing prescribed in clause (*b*) and (*c*) must be in the Hindi character. For Santali and Rajmahal Paharia the Roman character must be used and for the other languages either that character or Bengali or Hindi

(*d*) In the case of Khas Kura, he must transliterate and translate into English a paper in the current written (not printed) form of character of the language.

8. In order to qualify for the prescribed reward an examinee must obtain not less than half the marks allotted to each branch of the examination and two-thirds of the aggregate number.

9. The Commissioner conducting the examination will report to Government the names of officers declared by the examining Committee to have passed the prescribed standard.

H. LEMESURIER,
Chief Secy. to the Govt. of Bihar and Orissa.

APPENDIX II.

(Referred to in Question No. 38151.)

The 5th December 1912.

No. 5452A.—In supersession of the orders contained in the Notifications Nos. 1965A. and 3280A., dated the 4th June 1912, and the 13th August 1912, respectively, the following promotions and reversions of officers of the Indian Civil Service are notified :—

Entry No.	With effect from	Consequent on	Name.	From	To	REMARKS.
1	2	3	4	5	6	7
1	1st April 1912.	An existing vacancy in the 3rd grade of District and Sessions Judges.	Mr. G. J. Monah n.	Officiating District and Sessions Judge, 3rd grade.	District and Sessions Judge, 3rd grade, sub. *pro tem.*	Till 18th April 1912. From 19th April. The date of Mr. R. L. Ross' posting to Bihar and Orissa Mr. Monahan will again revert to his officiating appointment.
2	Ditto .	An existing acting vacancy in the 2nd grade of Magistrates and Collectors.	Mr. A. H. Vernede .	Magistrate and Collector, 3rd grade.	Officiating Magistrate and Collector, 2nd grade.	
3	Ditto .	An existing vacancy in the 3rd grade of Magistrates and Collectors.	Pandit Rama Ballabh Misra.	Officiating Magistrate and Collector, 3rd grade.	Magistrate and Collector, 3rd grade, sub. *pro tem.*	
4	2nd April 1912.	The deputation to Bengal of Mr. R. Nathan, C.I.E., Commissioner of a Division.	Mr. W. Egerton .	Officiating Commissioner, Orissa Division, in addition to his own duties as Magistrate and Collector, Cuttack.	Commissioner of a Division, sub. *pro tem.*	Till 9th April 1912.
5	10th April 1912.	The appointment of Mr. C. E. A. W. Oldham as a sub. *pro tem.* Commissioner of a Division.	Mr. Birendra Chandra Sen.	Magistrate and Collector, 2nd grade.	Officiating Magistrate and Collector, 1st grade.	
			Mr. J. Johnston .	Magistrate and Collector, 3rd grade.	Officiating Magistrate and Collector, 2nd grade.	
			Babu Mano Mohan Ray.	Deputy Magistrate and Deputy Collector, 3rd grade.	Officiating Magistrate and Collector, 3rd grade.	From 18th April 1912 till relieved by Mr. Philip on 27th April 1912.
6	11th April 1912.	The transfer to Bengal of Mr. D. C. Patterson, Officiating Joint Magistrate and Deputy Collector, 1st grade.	*Mr. J. A. Sweeney* .	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	Officiating Joint Magistrate and Deputy Collector, 1st grade.	
			Mr. C. Bartley .			
			Mr. H. W. Williams.	Assistant Magistrate and Collector.	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	
7	15th April 1912.	The transfer to Bengal of Mr. C. Bartley, Officiating Joint Magistrate and Deputy Collector, 1st grade.	*Mr. T. W. Bridge* .	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	Officiating Joint Magistrate and Deputy Collector, 1st grade.	
			Mr. H. E. Beal .			
			Mr. E. H. Johnston.	Assistant Magistrate and Collector.	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	
8	Ditto .	The departure on leave of Mr. H. McPherson, Magistrate and Collector, 1st grade, and return to duty of Mr. J. Reid, Magistrate and Collector, 3rd grade.	Mr. E. Lister .	Magistrate and Collector, 2nd grade.	Officiating Magistrate and Collector, 1st grade.	
			Mr. L. E. B. Cobden-Ramsay.	Magistrate and Collector, 3rd grade.	Officiating Magistrate and Collector, 2nd grade.	
9	18th April 1912.	The appointment of Mr. A. Ahmad as Commissioner of Excise and Inspector-General of Registration.	*Mr. H. K. Briscoe* .	Officiating Magistrate and Collector, 3rd grade.	Officiating Joint Magistrate and Deputy Collector, 1st grade.	
			Mr. J. F. W. James			
			Mr. C. L. Philip .			
			Mr. A. E. Scroope .			
			Mr. T. W. Bridge .	Officiating Joint Magistrate and Deputy Collector, 1st grade.	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	
			Mr. H. E. Beal			
			Mr. E. H. Johnston	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	Assistant Magistrate and Collector.	

Entry No.	With effect from	Consequent on	Name.	From	To	REMARKS.
1	2	3	4	5	6	7
10	27th April 1912.	The appointment of Mr. C. L. Philip as Officiating Magistrate and Collector, Balasore.	*Mr. H. K. Briscoe* *Mr. J. F. W. James.*	Officiating Joint Magistrate and Deputy Collector, 1st grade.	Officiating Magistrate and Collector, 3rd grade.	
11	1st May 1912.	The appointment of Mr. A. L. Inglis as Officiating Magistrate and Collector, Cuttack.	*Mr. D. Weston* Mr. H. Coupland	Magistrate and Collector, 2nd grade.	Officiating Magistrate and Collector, 1st grade.	Mr. Egerton ceases to hold charge of office of Collector.
			Mr J. Reid	Magistrate and Collector, 3rd grade.	Officiating Magistrate and Collector, 2nd grade.	
			The late Mr. P. S. Shettle.	Officiating Joint Magistrate and Deputy Collector, 1st grade.	Officiating Magistrate and Collector, 3rd grade.	
			Mr. T. W. Bridge Mr. H. E. Beal	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	Officiating Joint Magistrate and Deputy Collector, 1st grade.	
			Mr. E. H. Johnston	Assistant Magistrate and Collector.	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	
12	4th May 1912.	The departure on leave of Mr. J. T. Whitty, Officiating Magistrate and Collector, 3rd grade.	The late Mr. P. S. Shettle.	....	Officiating Magistrate and Collector, 3rd grade.	Ceases to be seconded on Settlement duty.
13	8th May 1912.	The transfer to Bengal of Mr. J. C. French, Officiating Joint Magistrate and Deputy Collector, 1st grade.	Mr. J. R. Makeig-Jones.	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	Officiating Joint Magistrate and Deputy Collector, 1st grade.	
			Mr. N. F. Peck	Assistant Magistrate and Collector.	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	
14	13th May 1912.	The departure on leave of Mr. J. Johnston, Officiating Magistrate and Collector, 2nd grade.	Pandit Rama Ballabh Misra.	Magistrate and Collector, 3rd grade, sub *pro tem.*	Officiating Magistrate and Collector, 2nd grade.	
			Mr. J. G. Drummond	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	Officiating Joint Magistrate and Deputy Collector, 1st grade.	
			Mr. P. C. Tallents	Assistant Magistrate and Collector.	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	
15	17th May 1912.	The departure on leave of Mr. J. G. Drummond, Officiating Joint Magistrate and Deputy Collector, 1st grade.	Mr. W. H. Boyce	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	Officiating Joint Magistrate and Deputy Collector, 1st grade.	
			Mr. E. S. Hoernle	Assistant Magistrate and Collector.	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	
16	24th May 1912.	The departure on leave of Mr. W. M. Crawford, Magistrate and Collector, 2nd grade.	Mr. G. Rainy, I.C.S.	Magistrate and Collector, 3rd grade, sub. *pro tem.*	Officiating Magistrate and Collector, 2nd grade.	
17	27th May 1912.	The departure on leave of Mr. J. R. Dain, Officiating Joint Magistrate and Deputy Collector, 2nd grade.	Mr. J. A. Saunders	Assistant Magistrate and Collector.	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	
18	5th June 1912.	Deputation on special duty of Mr. H. T. S. Forrest, Magistrate and Collector, 1st grade	*Mr. W. M. Crawford (on privilege leave).* Mr. F. P. Dixon	Magistrate and Collector, 2nd grade.	Officiating Magistrate and Collector, 1st grade.	
			Mr. J. T. Whitty (on privilege leave). Mr. H. Ll. L. Allanson.	Officiating Magistrate and Collector, 3rd grade.	Officiating Magistrate and Collector, 2nd grade.	
			Mr. J. R. Dain (on privilege leave). Mr. W. J. C. Lauric	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	Officiating Joint Magistrate and Deputy Collector, 1st grade.	
			Mr. A. R Toplis	Assistant Magistrate and Collector.	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	
19	8th June 1912.	The transfer to Hyderabad of Mr. H. D. G. Law, Officiating Joint Magistrate and Deputy Collector, 1st grade	*Mr. A. B. Duncan* Mr. A. P. Middleton	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	Officiating Joint Magistrate and Deputy Collector, 1st grade.	

Entry No.	With effect from	Consequent on	Name.	From	To	Remarks.
1	2	3	4	5	6	7
20	9th June 1912.	An existing vacancy in the 2nd grade of Joint Magistrates and Deputy Collectors.	Mr. A. D. Tuckey .	Assistant Magistrate and Collector.	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	
21	24th June 1912.	The return from leave of Mr. W. M. Crawford, Officiating Magistrate and Collector, 1st grade.	Mr. F. P. Dixon .	Officiating Magistrate and Collector, 1st grade.	Magistrate and Collector, 2nd grade.	
			Mr. J. T. Whitty (on privilege leave). Mr. H. Ll. L. Allanson.	Officiating Magistrate and Collector, 2nd grade.	Officiating Magistrate and Collector, 3rd grade.	
22	26th June 1912.	The termination of the special duty of Mr. H. T. S. Forrest, Magistrate and Collector, 1st grade.	Mr. W. M. Crawford	Officiating Magistrate and Collector, 1st grade.	Magistrate and Collector, 2nd grade.	
			Mr. G. Rainy . .	Officiating Magistrate and Collector, 2nd grade.	Magistrate and Collector, 3rd grade, sub. *pro tem.*	
			Mr. A. E. Scroope .	Officiating Magistrate and Collector, 3rd grade.	Officiating Joint Magistrate and Deputy Collector, 1st grade.	
			Mr. A. B. Duncan . Mr. A. P. Middleton	Officiating Joint Magistrate and Deputy Collector, 1st grade.	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	
			Mr. A. D. Tuckey .	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	Assistant Magistrate and Collector.	
23	27th June 1912.	The return from leave of Mr. J. R. Dain, Officiating Joint Magistrate and Deputy Collector, 1st grade.	Mr. W. J. C. Laurie	Officiating Joint Magistrate and Deputy Collector, 1st grade.	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	
			Mr. A. R. Toplis .	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	Assistant Magistrate and Collector.	
24	30th June 1912.	The appointment of Mr. H. T. S. Forrest as Deputy Commissioner of Manbhum.	Mr. W. J. C. Laurie	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	Officiating Joint Magistrate and Deputy Collector, 1st grade.	
			Mr. G. Milne .	Officiating Magistrate and Collector, 3rd grade.	Joint Magistrate and Deputy Collector, 2nd grade.	From the 1st July 1912.
25	15th July 1912.	The return of Mr. R. L. Ross, District and Sessions Judge, 3rd grade, from leave.	Mr. F. M. Luce .	Officiating District and Sessions Judge, 3rd grade.	Officiating Joint Magistrate and Deputy Collector, 1st grade.	Up to 22nd July 1912.
			Mr. W. J. C. Laurie	Officiating Joint Magistrate and Deputy Collector, 1st grade.	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	
			Mr. J. A. Saunders .	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	Assistant Magistrate and Collector.	
26	18th July 1912.	The departure on leave of Mr. D. H. Kingsford, District and Sessions Judge, 2nd grade.	Mr. Tej Chandra Mukharji.	District and Sessions Judge, 3rd grade.	Officiating District and Sessions Judge, 2nd grade.	
27	Ditto .	The departure on leave of Mr. A. W. Barnicott, Officiating Joint Magistrate and Deputy Collector, 1st grade.	Mr. W. J. C. Laurie	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	Officiating Joint Magistrate and Deputy Collector, 1st grade.	
			Mr. J. A. Saunders .	Assistant Magistrate and Collector.	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	
28	20th July 1912.	The departure on leave of Mr. W. J. C. Laurie, Officiating Joint Magistrate and Deputy Collector, 1st grade.	*Mr. A. B. Duncan* . Mr. A. P. Middleton	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	Officiating Joint Magistrate and Deputy Collector, 1st grade.	
			Mr. A. R. Toplis .	Assistant Magistrate and Collector.	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	
29	23rd July 1912.	The departure on leave of Mr. B. Foley, Magistrate and Collector, 1st grade.	Mr. W. M. Crawford	Magistrate and Collector, 2nd grade.	Officiating Magistrate and Collector, 1st grade.	
			Mr. G. Rainy . .	Magistrate and Collector, 3rd grade.	Officiating Magistrate and Collector, 2nd grade.	
30	Ditto .	The appointment of Mr. F. M. Luce to act as a Magistrate and Collector, 3rd grade.	Mr. S. Klingenstein	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	Officiating Joint Magistrate and Deputy Collector, 1st grade.	
			Mr. A. D. Tuckey .	Assistant Magistrate and Collector.	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	
31	25th July 1912.	The departure on leave of Mr. W. H. Boyce, Officiating Joint Magistrate and Deputy Collector, 1st grade.	Mr. H. W. Williams	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	Officiating Joint Magistrate and Deputy Collector, 1st grade.	

Entry No.	With effect from	Consequent on	Name.	From	To	Remarks.
1	2	3	4	5	6	7
32	28th July 1912.	The appointment of Mr. L. J. Kershaw, C.I.E., Secretary to the Government of Bihar and Orissa, to act as Commissioner of a Division.	Mr. F. P. Dixon .	Magistrate and Collector, 2nd grade.	Officiating Magistrate and Collector, 1st grade.	
			Mr. J. T. Whitty (on leave).	Officiating Magistrate and Collector, 3rd grade.	Officiating Magistrate and Collector, 2nd grade.	
			Mr. H. Ll. L. Allanson.			
			Mr. E. L. Tanner .	Under Secretary to the Government of Bihar and Orissa, Financial and Municipal Departments.	Officiating Financial Secretary.	
33	1st August 1912.	The retirement of Mr. Tej Chandra Mukharji, Officiating District and Sessions Judge, 2nd grade.	Mr. Ram Lal Datta	District and Sessions Judge, 3rd grade.	Officiating District and Sessions Judge, 2nd grade.	
34	Ditto .	The return from leave of Mr. J. T. Whitty, Officiating Magistrate and Collector, 2nd grade.	Mr. H. Ll. L. Allanson.	Officiating Magistrate and Collector, 2nd grade.	Officiating Magistrate and Collector, 3rd grade.	
35	29th August ber 1912.	The appointment of Mr. S. B. Dhavle, Officiating Joint Magistrate and Deputy Collector, 1st grade, to act as Under-Secretary, Political, Appointment and Education Departments.	....	....	....	The acting vacancy in the 1st grade was absorbed by the return of Mr. W. J. C. Laurie, from leave on that date.
36	5th September 1912.	The departure on leave of Mr. B. K. Mallik, District and Sessions Judge, 2nd grade.	Mr. L. C. Adami .	District and Sessions Judge, 3rd grade.	Officiating District and Sessions Judge, 2nd grade.	
37	8th September 1912.	The transfer of Mr. S. Klingenstein, Officiating Joint Magistrate and Deputy Collector, 1st grade to Bengal.	Mr. E. H. Johnston .	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	Officiating Joint Magistrate and Deputy Collector, 1st grade.	
38	15th September 1912.	The return from leave of Mr. S. R. Hignell, Magistrate and Collector, 3rd grade.	Mr. S. R. Hignell .	Magistrate and Collector, 3rd grade.	Officiating Magistrate and Collector, 2nd grade.	
			Mr. J. T. Whitty .	Officiating Magistrate and Collector, 2nd grade.	Officiating Magistrate and Collector, 3rd grade.	
39	16th September 1912.	The departure on leave of Mr. F. F. Lyall, Officiating Magistrate and Collector, 1st grade.	Mr. A. Garrett .	Magistrate and Collector, 2nd grade.	Officiating Magistrate and Collector, 1st grade.	
			Mr. J. T. Whitty .	Officiating Magistrate and Collector 3rd grade.	Officiating Magistrate and Collector, 2nd grade.	
40	Ditto .	The appointment of Mr. A. P. Middleton, Officiating Joint Magistrate, 1st grade, to act as Magistrate and Collector, 3rd grade.	Mr. N. F. Peck .	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	Officiating Joint Magistrate and Deputy Collector, 1st grade.	
41	23rd September 1912.	The departure on leave of Mr. J. R. Makeig-Jones, Officiating Joint Magistrate and Deputy Collector, 1st grade.	Mr. P. C. Tallents .	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	Ditto ditto.	

H. LeMESURIER,
Chief Secretary to the Government of Bihar and Orissa.

The 27th February 1913.

No. 1062A.—The following promotions and reversions in the Indian Civil Service are notified :—

Entry No.	With effect from	Consequent on	Name.	From	To	Remarks.
1	2	3	4	5	6	7
1	1st October 1912.	In an existing acting vacancy in the 1st grade of Joint Magistrates in which arrangement was not made before.	Mr. E. S. Hoernle .	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	Officiating Joint Magistrate and Deputy Collector, 1st grade.	
2	2nd October 1912.	The departure on leave for 13 days of the Hon'ble Mr. H. J. McIntosh, Commissioner of a Division.	Mr. F. P. Dixon .	Officiating Magistrate and Collector, 1st grade.	Officiating Commissioner of a Division in addition to his own duties.	No acting promotions in the grades of Magistrates are admissible.

Entry No.	With effect from	Consequent on	Name	From	To	Remarks
1	2	3	4	5	6	7
3	6th October 1912.	The appointment of the Hon'ble Mr. E. H. C. Walsh as sub. *pro tem.* Member, Board of Revenue.	The Hon'ble Mr. L. J. Kershaw, C.I.E.	Officiating Commissioner of a Division.	Commissioner of a Division, sub. *pro tem.*	
4	10th October 1912.	The departure on leave of Mr. H. Coupland, Officiating Magistrate and Collector, 1st grade.	Mr. W. B. Heycock	Magistrate and Collector, 2nd grade.	Officiating Magistrate and Collector, 1st grade.	
			Mr. H. Ll. L. Allanson.	Officiating Magistrate and Collector, 3rd grade.	Officiating Magistrate and Collector, 2nd grade.	
			Babu Jogindra Nath Sarkar.	Deputy Magistrate and Deputy Collector, 6th grade.	Officiating Magistrate and Collector, 3rd grade.	
5	11th October 1912.	The return from leave of Mr. D. H. Kingsford, District and Sessions Judge, 2nd grade.	The Hon'ble Mr. L. C. Adami.	Officiating District and Sessions Judge, 2nd grade.	District and Sessions Judge, 3rd grade.	
			Mr. A. E. Scroope .	Officiating District and Sessions Judge, 3rd grade.	Officiating Joint Magistrate and Deputy Collector, 1st grade.	
			Mr. E. S. Hoernle .	Officiating Joint Magistrate and Deputy Collector, 1st grade.	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	
	Ditto .	The departure on leave for 4 days of Mr. P. W. Murphy, Officiating Magistrate and Collector, 3rd grade.	Babu Brajendra Nath Ray.	Deputy Magistrate and Deputy Collector, 4th grade.	Officiating Magistrate and Collector, 3rd grade.	Till 14th October 1912.
6	14th October 1912	The return from leave of Mr. J. A. Sweeney, I.C.S.	*Mr. J. A. Sweeney (on Settlement duty).*	Officiating Joint Magistrate and Deputy Collector, 2nd grade	Officiating Joint Magistrate and Deputy Collector, 1st grade.	
7	15th October 1912.	The return from leave of Mr. H. Coupland, Officiating Magistrate and Collector, 1st grade.	Mr. W. B. Heycock	Officiating Magistrate and Collector, 1st grade.	Magistrate and Collector, 2nd grade.	
			Mr. H. Ll. L. Allanson.	Officiating Magistrate and Collector, 2nd grade.	Officiating Magistrate and Collector, 3rd grade.	
			Babu Jogendra Nath Sarkar.	Officiating Magistrate and Collector, 3rd grade.	Deputy Magistrate and Deputy Collector, 6th grade.	
8	Ditto .	The return from leave of Mr. F. F. Lyall, Officiating Magistrate and Collector, 1st grade.	Mr. A. Garrett .	Officiating Magistrate and Collector, 1st grade.	Magistrate and Collector, 2nd grade.	
			Mr. J. T. Whitty .	Officiating Magistrate and Collector, 2nd grade.	Magistrate and Collector, 3rd grade, sub. *pro tem.*	
			Mr. A. P. Middleton (on leave).	Officiating Magistrate and Collector, 3rd grade.	Officiating Joint Magistrate and Deputy Collector, 1st grade.	
			Babu Girindra Chandra Banerji.	Ditto. ditto .	Deputy Magistrate and Deputy Collector, 2nd grade.	
			Mr. P. C. Tallents .	Officiating Magistrate and Deputy Collector, 1st grade.	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	
9	Ditto .	The return from leave of Mr. D. Weston, Officiating Magistrate and Collector, 1st grade.	Mr. F. P. Dixon .	Officiating Magistrate and Collector, 1st grade.	Magistrate and Collector, 2nd grade.	
			Mr. G. Rainy . .	Officiating Magistrate and Collector, 2nd grade.	Magistrate and Collector, 3rd grade, sub. *pro tem.*	Mr. E. H. Berthoud will draw the pay of Officiating Magistrate and Collector, 3rd grade, for the period during which he was on transit to join his appointment as Officiating Magistrate and Collector, Balasore.
10	Ditto .	The return from leave of Mr. H. W. P. Scroope, Magistrate and Collector, 2nd grade.	Mr. H. W. P. Scroope	Magistrate and Collector, 2nd grade.	Officiating Magistrate and Collector, 1st grade.	
			Mr. W. M. Crawford	Officiating Magistrate and Collector, 1st grade.	Magistrate and Collector, 2nd grade.	
			Pandit Rama Ballabh Misra.	Officiating Magistrate and Collector, 2nd grade.	Magistrate and Collector, 3rd grade, sub. *pro tem.*	As Mr. H. Ll. L. Allanson, Officiating Magistrate and Collector, proceeded on leave from 15th October 1912, no reversions in the grades of Joint Magistrates are necessary.
11	Ditto .	The return from leave of Mr. J. R. Makeig-Jones, Officiating Joint Magistrate and Deputy Collector, 1st grade.	Mr. N. F. Peck .	Officiating Joint Magistrate and Deputy Collector, 1st grade.	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	
12	Ditto .	The reversion of Mr. T. W. Bridge from his appointment as acting Under-Secretary, Revenue Department.	*Mr. T. W. Bridge (on Settlement duty).*	Officiating Under-Secretary, Revenue Department.	Officiating Joint Magistrate and Deputy Collector, 1st grade.	His juniors were acting as Jnt Magistrate and Deputy Collector, 1st grade, on that date.

Entry No.	With effect from	Consequent on	Name.	From	To	REMARKS.
1	2	3	4	5	6	7
13	16th October 1912.	The return from leave of Mr. T. Luby, Assistant Magistrate and Collector.	Mr. T. Luby . .	Assistant Magistrate and Collector.	Officiating Joint Magistrate and Deputy Collector, 1st grade.	
			Mr. E. H. Johnston	Officiating Joint Magistrate and Deputy Collector, 1st grade.	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	
14	Ditto .	The return from leave of Mr. B. Foley, Magistrate and Collector, 1st grade.	Mr. H. W. P. Scroope	Officiating Magistrate and Collector, 1st grade.	Magistrate and Collector, 2nd grade.	
			Mr. J. Reid . .	Officiating Magistrate and Collector, 2nd grde.	Magistrate and Collector, 3rd grade.	
			Mr. F. M. Luce .	Officiating Magistrate and Collector, 3rd grade.	Officiating Joint Magistrate and Deputy Collector, 1st grade.	
			Mr. H. W. Williams	Officiating Joint Magistrate and Deputy Collector, 1st grade.	Officiating Joint Magistrate and Deputy Collector, 2nd grade	
15	28th October 1912.	The departure on leave of Mr. H. C. Streatfeild, Commissioner of a Division.	Mr. B. Foley . .	Magistrate and Collector, 1st grade.	Officiating Commissioner of a Division.	
			Mr. H. W. P. Scroope	Magistrate and Collector, 2nd grade.	Officiating Magistrate and Collector, 1st grade.	
			Mr. J. Reid . .	Magistrate and Collector, 3rd grade.	Officiating Magistrate and Collector, 2nd grade.	
			Mr. F. M. Luce .	Officiating Joint Magistrate and Deputy Collector, 1st grade.	Officiating Magistrate and Collector, 3rd grade.	From 20th October 1912, the date from which Mr. B. Foley was on joining time.
			Mr. H. W. Williams	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	Officiating Joint Magistrate and Deputy Collector, 1st grade.	From 20th October 1912.
16	Ditto .	The deputation of Mr. G. Milne, Joint Magistrate and Deputy Collector, 2nd grade, to Cattle Survey.	....	....	....	No officer eligible to act in the 2nd grade.
17	2nd November 1912.	The deputation of Mr. A. E. Scroope, Officiating Joint Magistrate and Deputy Collector, 1st grade, to special duty under the Revenue Department.	Mr. E. H. Johnston	Officiating Joint Magistrate and Deputy Collector, 2nd grade.	Officiating Joint Magistrate and Deputy Collector, 1st grade.	Ditto ditto.
18	9th November 1912.	The reversion of the Hon'ble Mr. L. J. Kershaw, C.I.E., sub. *pro tem.* Commissioner of a Division, to 1st grade Magistrate and Collector.	The Hon'ble Mr. W. Egerton.	Officiating Commissioner of a Division.	Commissioner of a Division, sub. *pro tem.*	Mr. H. T. S. Forrest, appointed to act as Commissioner of a Division in addition to his own duties as Deputy Commissioner, Ranchi.
			Mr. H. W. P. Scroope	Officiating Magistrate and Collector, 1st grade.	Magistrate and Collector, 2nd grade.	
			Mr. J. Reid .	Officiating Magistrate and Collector, 2nd grade.	Magistrate and Collector, 3rd grade.	
			Mr. E. L. Tanner .	Officiating Magistrate and Collector, 3rd grade.	Officiating Joint Magistrate and Deputy Collector, 1st grade.	As Mr. Tanner proceeded on settlement duty on that date, no reversions in the grades of Joint Magistrates are necessary.
19	10th November 1912.	The return from leave of the Hon'ble Mr. H. McPherson, Magistrate and Collector, 1st grade.	Mr. H. Coupland .	Officiating Magistrate and Collector, 1st grade.	Magistrate and Collector, 2nd grade.	
			Mr. S. R. Hignell .	Officiating Magistrate and Collector, 2nd grade.	Magistrate and Collector, 3rd grade.	Mr. P. W. Murphy on being relieved of his appointment as Officiating Magistrate and Collector, Shahabad, on 14th November 1912, proceeded to special duty in the office of the Board of Revenue where he will draw the salary of an Officiating Magistrate and Collector, 3rd grade. There will therefore be no reversions in the grades of Joint Magistrates and Deputy Collectors.
20	18th November 1912.	The return from leave of the Hon'ble Mr. B. K. Mullick, District and Sessions Judge, 2nd grade.	Mr. Ram Lal Datta.	Officiating District and Sessions Judge, 2nd grade.	District and Sessions Judge, 3rd grade.	
			Mr. Narendra Krishna Datta.	Officiating District and Sessions Judge, 3rd grade.	Subordinate Judge, 2nd grade (also Assistant Sessions Judge).	From the afternoon of the 22nd November 1912, when he was actually relieved by the Hon'ble Mr. L. C. Adami, against whose joining time Mr. Datta continued to act from the 18th to the 22nd November 1912.
21	26th November 1912.	The appointment of the Hon'ble Mr. W. Maude as Member, Board of Revenue on return from leave.	The Hon'ble Mr. E. H. C. Walsh, C.S.I.	Member, Board of Revenue, sub. *pro tem.*	Commissioner of a Division.	
			Mr. H. T. S. Forrest	Officiating Commissioner of a Division in addition as Magistrate and Collector, 1st grade.	Magistrate and Collector, 1st grade.	

Entry No.	With effect from	Consequent on	Name.	From	To	Remarks.
1	2	3	4	5	6	7
22	2nd December 1912.	Return of the Hon'ble Mr. F. N. Fischer from leave and his appointment as Commissioner of a Division.	The Hon'ble Mr. W. Egerton.	Commissioner of a Division sub. *pro tem.*	Officiating Commissioner of a Division	
			Mr. B. Foley . .	Officiating Commissioner of a Division	Magistrate and Collector, 1st grade.	
			Mr. D. Weston .	Officiating Magistrate and Collector, 1st grade.	Magistrate and Collector, 2nd grade.	
			Mr. L. E. B. Cobden-Ramsay.	Officiating Magistrate and Collector, 2nd grade.	Magistrate and Collector, 3rd grade.	
			Mr. F. M. Luce .	Officiating Magistrate and Collector, 3rd grade.	Officiating Joint Magistrate and Deputy Collector, 1st grade.	He was actually relieved on the afternoon of the 9th December 1912. He continued to act in the 3rd grade of Magistrates from the 2nd to the 9th December 1912, during the joining time of Mr. B. Foley.

H. LEMESURIER,

Chief Secretary to the Government of Bihar and Orissa.

APPENDIX III.

Officials, Non-officials and Associations in Bihar and Orissa who, at the request of the Royal Commission, furnished written answers to the interrogatories printed on pages v—xxxviii of this volume, but who were not orally examined.

(a) *Officials.*

(1) Hon'ble Mr. H. T. McIntosh, I.C.S., Commissioner, Bhagalpur.
(2) Hon'ble Mr. W. Egerton, I.C.S., Commissioner, Orissa.
(3) Hon'ble Mr. H. McPherson, I.C.S., Secretary to Government, Revenue Department.
(4) F. F. Lyall, Esq., I.C.S., Magistrate and Collector, Muzaffarpur.
(5) E. H. C. Walsh, Esq., I.C.S., Commissioner, Ranchi.
(6) E. Lister, Esq., I.C.S., Deputy Commissioner, Hazaribagh.
(7) L. C. Adami, Esq., I.C.S., Offg. Remembrancer of Legal Affairs.
(8) L. F. Morshead, Esq., I.C.S., Inspector-General of Police.
(9) B. A. Collins, Esq., I.C.S., Under Secretary to Government.
(10) F. R. Roe, Esq., I.C.S., District and Sessions Judge, Pabna.
(11) T. S. Macpherson, Esq., I.C.S., Offg. District and Sessions Judge, Manbhum.
(12) D. Weston, Esq., I.C.S., Collector, Patna.
(13) J. T. Witty, Esq., I.C.S., Officiating Collector, Gaya.
(14) E. L. L. Hammond, Esq., I.C.S., Registrar of Co-operative Credit Societies.
(15) A. Ahmed, Esq., Commissioner of Excise.
(16) J. H. Taylor, Esq., Deputy Commissioner, Angul.
(17) Babu D. Prasad, Sub-divisional Officer, Bihar.
(18) Moulvi M. W. Ahmad, Munsif, Begusarai.
(19) Babu S. B. Sen, Sub-Judge, Hazaribagh.
(20) Babu Raj Kishore, Munsif, Chapra.
(21) Babu D. Das, Personal Assistant to the Commissioner, Cuttack.
(22) Babu H. L. Khastagir, Personal Assistant to the Commissioner, Tirhut.
(23) J. R. Lewis, Esq., Manager, Bettiah Estate.

(b) *Non-officials.*

(24) Rai Bahadur Gajadhar Prasad, Pleader, Bankipore.
(25) Pandit B. Sahay, Pleader, Ranchi.
(26) Syed Abul Barkat, Zemindar, Gaya.
(27) T. H. Ward, Esq., Colliery Superintendent, Giridih.
(28) Hon'ble Maharaja B. N. De, Balasore.
(29) Babu H. P. N. Sinha, Zemindar, Patna.
(30) E. Mylne, Esq., Behea.,
(31) Raja J. P. S. Deo.
(32) Rai Bahadur S. C. Nark, retired Deputy Magistrate.
(33) Khan Bahadur Syed M. Hasan, Zemindar.
(34) Babu K. S. P. Singh, Zemindar.
(35) Babu T. Lall, Zemindar, Bhagalpur.
(36) A. T. Peppe, Esq., Manager, Chota Nagpur Raj.
(37) Raja R. N. B. Deo, Kanika.
(38) Rai Bahadur C. Sahai, Pleader, Arrah.
(39) Babu D. Nath, Pleader, Muzaffarpur.
(40) Khan Bahadur Saiyid N. Ahmad, Patna.
(41) Maharaja Bahadur Sir R. P. Singh, K.C.I.E.

(c) *Associations.*

(42) Bhuinhar Brahmana Sabha (Babu R. P. Sinha.)
(43) Bhagalpur Landholders' Association (Rai Bahadur S. S. Sahai).
(44) Bihar Landholders' Association (Moulvi S. H. Khan).

APPENDIX IV.

Officials, Non-officials and Associations in Bihar and Orissa who furnished written answers to the interrogatories printed on pages v—xxxviii of this volume, in response to a notification published in the Bihar and Orissa Gazette, *but who were not orally examined.*

(*a*) *Officials.*

(1) B. Foley, Esq., I.C.S., Collector, Saran.
(2) T. Luby, Esq., I.C.S., Sub-divisional Officer, Dhanbaid.
(3) J. H. Price, Esq., Sub-divisional Officer, Angul.
(4) Babu H. Bhattachariya, Deputy Magistrate, Muzaffarpur.
(5) Babu A. C. Dutta, Munsif, Balasore.
(6) A. W. Warde-Jones, Esq., Senior Deputy Magistrate, Purnea.
(7) R. L. Dutt, Esq., District and Sessions Judge, Monghyr.
(8) Babu S. N. Mukharji, Munsif, Patna.
(9) Babu A. N. Chatarji, Munsif, Purneah.
(10) A. J. Ollenbach, Esq., Sub-divisional Officer, Khandmals.
(11) Babu S. S. Day, Sub-divisional Officer, Rajmahal.
(12) Babu G. C. Bannerji, Deputy Magistrate, Muzaffarpur.
(13) Maulvi S. Haider, Assistant Settlement Officer, Gaya.
(14) Pandit H. Sahay, Deputy Magistrate, Gaya.
(15) Syed N. Huck, Munsif, Gaya.
(16) Babu S. L. Gupta, Sub-divisional Officer, Jajpur.
(17) Babu N. K. Lal, Manager, Maksudpore, Raj.
(18) Babu N. N. Gupta, Deputy Magistrate, Gaya.
(19) Babu H. S. Lal, Deputy Magistrate, Gaya.
(20) Maulvi S. Ahmad, Deputy Magistrate, Gaya.
(21) Moulvi M. H. Rahman, Deputy Magistrate, Arrah.
(22) T. R. Godfrey, Esq., Sub-divisional Officer, Bhadrak.
(23) Babu R. K. Gupta, Deputy Magistrate, Gaya.
(24) E. A. Guest, Esq., Sub-divisional Officer and Collector, 5th Grade, Bihar and Orissa.
(25) Members of the Provincial Civil Service, Darbhanga.
(26) Members of the Provincial Civil Service, Monghyr.
(27) Members of the Provincial Civil Service, Arrah.
(28) Members of the Provincial Civil Service, Bankipur.
(29) Members of the Provincial Civil Service, Cuttack.
(30) Members of the Provincial Civil Service, Ranchi.
(31) Members of the Provincial Civil Service, Daltonganj.
(32) Members of the Provincial Civil Service, Balasore.
(33) Members of the Provincial Civil Service, Singhbhum.
(34) Members of the Provincial Civil Service, Chapra.
(35) Members of the Provincial Civil Service, Sonthal Parganas.
(36) Members of the Provincial Civil Service, Bhagalpur.
(37) Moulvi G. N. A. Hasan, Sub-Deputy Collector, Bihar.
(38) Moulvi S. Rahman, Sub-Deputy Collector, Jehanabad.
(39) Syed M. Naziruddin, Sub-Deputy Collector, Gaya.

(*b*) *Non-officials.*

(40) M. Yunus, Esq., Bar-at-law, Bankipore.
(41) Pandit B. Pershad, Zemindar, Chapra.
(42) Pandit B. K. Prasad, Vakil, Darbhanga.
(43) M. Solaiman, Esq., Bar-at-Law, Bankipore.
(44) Saiyid Zahiruddin, Vice-Chairman, District Board, Patna.
(45) S. N. Mukherji, Esq., Munsif, Patna.

(*c*) *Association.*

(46) Bihar Hindu Sabha, Gaya Branch (Babu S. Pati).

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INDEX.

BIHAR AND ORISSA.

The Numbers refer to Questions.

A.

Acquittals, statistics, *Kingsford* - 39,250, 39,367

Acting Allowances (*see under* Pay).

Administration, need for sympathy between governed and governing, *Campbell* - - - 39,016–7

Age limits (*see under* Indian Civil Service Examination).

Age of arrival in India (*see under* Recruitment, I.C.S.).

Agriculture, Director of (*see* Director of Land Records and Agriculture).

Ali Ahmad, Moulvi, evidence of - - 38,680-915

Allowances (*see under* Leave *and* Pay).

Annuities (*see* Pensions, I.C.S.).

Appeals, might be transferred from District Magistrate to Judicial officers, *Kingsford,* 39,457; *Oldham,* 39,655, 39,761–4, 39,974–86.

Arabic in syllabus of Indian Civil Service Examination (*see under* Syllabus *under* Indian Civil Service Examination).

Area, population, and district charges, and comparison with other lieutenant-governorships, *Le Mesurier* 38,091

Assistant Collectors (*see* Collectors, Assistant).

B.

Bar:
- Position, competency of, *Ali Ahmad* - 38,894–8
- Probably more attractive than district and sessions judgeships, *Kingsford* - - - 39,289–91
- Recruitment from, *see under* Judicial Branch.

Bengalis, numbers in P.C.S., *Le Mesurier* - 38,047, 38,050–1

Bihar:
- Bulk of inhabitants aboriginal, *Campbell* - 38,972–9
- Divisions and conditions, *Le Mesurier* - 38,088
- Main points of difference between Orissa and, *Madhu Sudan Das* - - - - 39,119
- Permanently settled, *Madhu Sudan Das* - 39,119

Bihar Planters' Association, Ltd., number of members, *Filgate* - - - - - - - 39,529–30

Bihari:
- Hindus, numbers in judicial branch of P.C.S., *Le Mesurier* - - - - - - - 38,050
- Numbers recruited for executive branch of P.C.S., *Le Mesurier* - - - - - - - 38,047

Board of Revenue:
- Abolition advocated, *Mullick* - - - 41,770
- MEMBERS:
  - Number and pay, 1st April 1912, *Le Mesurier* 38,007
  - Pension, increase advocated, *Le Mesurier,* 38,034; *Oldham,* 39,676; *Mullick,* 41,759.
- Secretaryships, as listed posts advocated, *Krishna Sahay* - - - - - - - - 40,131

Brahmans, losing ground in university examinations, *Mazharul Haque* - - - - - - 40,596–7

British Characteristics and Tone:
- Maintenance essential, *Le Mesurier,* 37,939; *Filgate,* 39,578–9; *Sinha,* 41,010.
- Retention desirable, but might be retained without British officials, *Hasan Imam* - - 41,648–52

British Government, people satisfied, except limited class, *Kingsford,* 39,230, 39,398; *Oldham,* 39,908–10.

C.

Calcutta University, period of study for law examination raised from two to three years, *Ali Ahmad* 38,740

Campbell, Rev. Andrew, D.D., evidence of 38,916–9080

Caste and Racial Feeling:
- Brahmans keep away from inferior castes, *Campbell* 38,984, 39,026–39
- Class representation (*see under* Recruitment).
- Detrimental to work of officials, *Campbell* 38,945–9
- no Difficulty in getting parents of different classes or communities to send boys to same school, *Oldham* 39,860–1
- in English Universities, not experienced, *Rainy* 38,509
- Necessity for training in England to reduce, *Campbell* 38,918, 38,983

Chapra case, referred to, *Krishna Sahay,* 40,223–4; *Mazharul Haque,* 40,626–34.

Chief Commissioners (*see* Commissioners, Chief).

Chota Nagpur, conditions, *Le Mesurier* - - 38,088

Chota Nagpuri, numbers recruited for executive branch of P.C.S., *Le Mesurier* - - - - - 38,047

Civil Judicial Work, by Indians, no objections to, and training in England not so necessary, *Campbell* 39,070–1

Classes and communities, representation of (*see under* Recruitment).

Collectors, Assistant:
- PAY:
  - not Adequate, but increase on arrival not urgent unless age of arrival raised, *Oldham* - 39,770–5
  - Increase suggested, advances frequently taken, *Kershaw* - - - - - - - 40,941–4
- not Practicable or necessary to keep in part of country first joined, *Oldham* - - - 39,793
- not Sent to lonely districts at first, *Oldham* - 39,791
- Tents supplied, but horse and furniture must be bought, and other expenses, *Oldham* - 39,765–9
- Training unsatisfactory and suggestions, *Oldham* 39,785–92

Collectors, Deputy:
- Designation of "assistant collector" would not be objected to, *Le Mesurier* - - - - 38,118
- Distinction between Sub-Deputy Collector and, unnecessary, *Rainy,* 38,420, 38,492–4; *Madhu Sudan Das,* 39,139; *Krishna Sahay,* 40,174–5.
- Duties of, *Le Mesurier,* 38,061; *Madhu Sudan Das,* 39,219.
- Number, *Le Mesurier* - - - - - 37,992
- Pay, increased minimum suggested, *Mullick* - 42,042
- Powers of, *Le Mesurier,* 38,061; *Rainy,* 38,661–2, 38,676–9; *Oldham,* 39,696.
- Recruitment, method of, *Le Mesurier* - 38,212–4, 38,342–6
- Statement of posts in each grade and details, *Rama Ballabh Misra* - - - - - - - 40,258
- in Sub-divisions, work of, and comparison with that of joint magistrates, *Le Mesurier* - 38,185–94
- Training, suggestions *re, Rainy,* 38,417, 38,489–91, 38,553–6, 38,651–2, 38,661–9, 38,676–9; *Madhu Sudan Das,* 39,110.

Collectors and District Magistrates:
- no Bias in favour of conviction, *Kingsford,* 39,250, 39,380–7; *Mullick,* 41,840–1, 41,921–9.

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Collectors and District Magistrates—*continued.*
Cadre, increase becoming necessary, *Le Mesurier*, 38,130; *Rainy*, 38,444; *Campbell*, 38,993–5; *Jameson*, 41,271–2.
Difference between grades of district judges and, should be abolished, *Ali Ahmad* - - - 38,739
DUTIES:
Appeals, might be relieved from hearing, *Oldha* 39,655, 39,761–4, 39,974–86, 40,027–9
Control of police by:
less Active control, tendency to, *Kingsford*, 39,250; *Mullick*, 41,843–5.
not Approved, *Mazharul Haque* - 40,664–7
Essential, *Oldham* - - - - - 39,655
Description of, *Campbell*, 38,991; *Kingsford*, 39,250.
Magisterial work, tendency to do less active, *Kingsford* - - - - - 39,250, 39,302–7
Settlement of disputes, important part of, *Campbell* 38,967, 39,004–6
Touring:
less Done than formerly, *Filgate* - 39,551–4
should have Time for, and court inspection, *Kingsford* - - - - - 39,454
Training of young civilians, insufficient leisure for, as a rule, *Oldham* - - 39,642, 39,792
Gap between sub-divisional officer and, desirable but certain exceptions, *Oldham* - - 39,798–9
LISTED POSTS:
Number and number filled by members of P.C.S., *Le Mesurier* - - - - - - 37,961
Officer selected for promotion to, should first be tried in inferior posts as assistant and joint magistrate, *Rama Ballabh Misra* 40,260, 40,333
One-third advocated, *Mazharul Haque*, 40,463, 40,605; *Mullick*, 41,719, 41,772(*k*).
Pay, and position worse than deputy magistrate, *Rama Ballabh Misra* - - - 40,432–5
Work satisfactory, *Madhu Sudan Das* - 39,148–50
Lowest grade, gap between first grade of joint magistrates and, too big, *Oldham* - - 39,656
MAGISTERIAL AND JUDICIAL POWERS:
no Change advised, advantages of present system, *Rainy*, 38,537–51; *Kingsford*, 39,232, 39,250, 39,369–72, 39,452–6.
Combination of executive and judicial functions advantages of, *Mullick* - - 41,839, 41,975–91
Details, *Le Mesurier*, 38,004; *Kingsford*, 39,250.
no Judicial powers, *Le Mesurier* - - 38,004
Over-work, *Le Mesurier*, 38,130–3; *Rainy*, 38,444, 38,993–5; *Jameson*, 41,271–2.
Pay, rates for judicial branch higher, and reasons, *Oldham* - - - - - - 40,036–40
certain Posts added to grades of, to provide for certain superior posts and system, *Le Mesurier* 38,005
some Powers held by, in mufassal vested in Commissioner of Police in presidency towns, position compared, *Kingsford* - - - - - 39,424–6
Question of deputy magistrate as district magistrate, *Le Mesurier* - - - - - - 38,352–6
Residence in England, or course in English university, advantages of, *Le Mesurier* - - 38,354–6
Vernaculars, deterioration in knowledge of, disadvantages of, *Campbell* - - 38,998–39,003

Collectorate, Calcutta, separation from magistracy no argument for similar separation in mufassal, *Kingsford* - - - - - - - - - 39,394–7

Collectors, Sub-Deputy:
Absorption into P.C.S. advocated, *Le Mesurier*, 38,160–2, 38,221; *Rainy*, 38,420, 38,492–6, 38,645–50; *Ali Ahmad*, 38,748, 38,799–800, 38,913–5; *Madhu Sudan Das*, 39,139–41; *Krishna Sahay*, 40,173–5; *Rama Ballabh Misra*, 40,317–20; *Mazharul Haque*, 40,509–10.
Discontent among, *Oldham*, 39,714, 39,804–8; *Rama Ballabh Misra*, 40,336–43.
Distinction between Deputy Collectors and, unnecessary, *Rainy*, 38,420, 38,492–4; *Madhu Sudan Das*, 39,139; *Krishna Sahay*, 40,174–5.
Number of posts and rates of pay, *Ali Ahmad* 38,759
Promotion to P.C.S. should be allowable, *Madhu Sudan Das* - - - - - - - 39,141

Collectors, Sub-Deputy—*continued.*
Recruitment, method of, *Le Mesurier* - 38,337–9
Work of, and comparison with that of Deputy Collectors and Tahsildars in other provinces, *Le Mesurier*, 38,163–4, 38,215–23; *Rainy*, 38,420, 33,493–4; *Ali Ahmad*, 38,799–800.

Colonial Civil Service Examination, combination with Indian Civil Service Examination (*see under* Indian Civil Service Examination).

Commissioners:
Abolition of post advocated, *Mullick* - - 41,770
Fixed rates for appointment if time-scale adopted, *Kershaw* - - - - - - - - 40,712
Less authority in eyes of peasants than district officer, *Kingsford* - - - - - 39,371–5
Listing of one post suggested, *Rama Ballabh Misra*, 40,248; *Mazharul Haque*, 40,463, 40,605; *Fakhr-ud-din*, 41,364.
Number and rates of pay, *Le Mesurier* - - 38,007
Pay, 1st April 1912, *Le Mesurier* - - - 38,007
Personal assistants to, *Rama Ballabh Misra* 40,263, 40,312

Commissioners, Chief, special Pension of 1,200*l.* after five years' service advocated, *Le Mesurier* - 38,034

Commissioners of Excise:
Addition of post to grade of magistrates and collectors, objection to recent rules, *Le Mesurier* 38,005
Listing of post advocated, *Rama Ballabh Misra* 40,248
Local allowance of Rs. 250 per mensem advocated, *Le Mesurier* - - - - - - 38,019

Commissioners, Financial, special pension of 1,100*l.* after five years' service, advocated, *Le Mesurier* 38,034

Conditions of Service, I.C.S.:
"EIGHT YEARS LINE":
Advantages and utility of, *Kershaw* - - 40,853
if Age limit for recruitment is lowered:
Alteration to 9 or 10 years, advocated, *Ali Ahmed* 38,737
no Alteration required, *Le Mesurier*, 37,989; *Oldham*, 39,653.
Improvements, question of furlough allowance and pension most important, *Oldham* - - 39,756
"INFERIOR" POSTS:
Insufficient number, *Le Mesurier* 37,977, 38,144–5
for Officers of 2–8 years' service, arrangement suitable, *Le Mesurier*, 37,990; *Ali Ahmad*, 38,738; *Kershaw*, 40,705; *Mullick*, 41,742.
Practically all officers having completed two years' service have officiated continuously in, *Le Mesurier* - - - - - - - 37,991
should be Made more attractive, *Oldham* - 39,597
Quinquennial examination of, sufficient, *Le Mesurier* 38,001
"SUPERIOR" POSTS:
Correction of statement in appendix, *Le Mesurier* 37,992
no special Difficulty experienced in working with, new post erected as necessity arises, *Le Mesurier* - - - - - 37,993
Held directly under Government of India, list of, and names of persons holding, *Le Mesurier* 37,994
Listing of one third, advocated, *Mullick* - 41,705
Number allowed for temporary appointments and deputations, and names of officers on, *Le Mesurier* - - - - - - - 37,995
Open to Indians, varies according to province, and year by year, and question of proportion does not rise, *Kingsford* - - - 39,273–4
Residence in England for certain period necessary qualification for, *Campbell* 38,921, 38,928–9, 38,961–5
Salary, of more than Rs. 1,000 per mensem, all posts carry, *Le Mesurier* - - 37,993
System approved, *Le Mesurier*, 37,989; *Ali Ahmad*, 38,737; *Oldham*, 39,652–3; *Kershaw*, 40,704, 40,781, 40,853; *Mullick*, 41,741.

Condition of Service, I.C.S.—*continued.*

"SUPERIOR" POSTS—*continued.*

Temporary, showing of officers recruited against, in lowest grade, arrangement satisfactory, *Le Mesurier* - - - - - - 37,996

(*see also* Leave *and* Pay.)

Conditions of Service, P.C.S.:

Improvement necessary, *Le Mesurier* - - 38,067

(*see also* Leave *and* Pay.)

Convictions, statistics, remarks *re, Kingsford* 39,250, 39,307

Co-operative Credit Societies:

Good work by, in Bengal, and question of offering post of registrar as listed post, *Filgate* - 39,593–6

REGISTRAR:

Addition of post to grade of magistrates and collectors, objection to recent rules, *Le Mesurier* 38,005

as Listed post advocated, *Oldham*, 40,104; *Rama Ballabh Misra*, 40,248; *Sinha*, 40,971.

Local allowances of, *Le Mesurier* - - 38,020

Cost of living, increase, *Ali Ahmad*, 38,760; *Filgate*, 39,558–9, 39,568–70; *Rama Ballabh Misra*, 40,243, 40,306.

Councils:

Executive, special pensions after five years' service suggested, *Le Mesurier*, 38,034; *Oldham*, 39,676; *Mullick*, 41,759.

EXECUTIVE OF GOVERNOR GENERAL:

Members, special pension after five years' service advocated, *Le Mesurier*, 38,034 *Oldham*, 39,678.

Membership should be placed on higher footing, and members should not hold further office in India, *Oldham* - - - - - 39,685

Reconstitution considered substantial measure of advance, *Rama Ballabh Misra* - - 40,239

Courts:

CIVIL:

Bengal, work usually done by Executive Branch, P.C.S., in Orissa, *Madhu Sudan Das* - 31,942–3

Subordinate, not adequately supervised, *Rainy* 38,548

HIGH:

should Deal only with respective Local Governments, *Mullick* - - - - - 41,770

Suggestions for judicial officers to be attached to, for study of law, opposed, *Kingsford* - 39,247

Judges (*see that title*).

Popularity with masses questioned, *Mazharul Haque* 40,616–8

Subordinate, system of inspection, and district judge has not sufficient time for, *Kingsford* 39,296–301

Criminal Procedure Code, alteration *re* provisions of section 191 suggested, *Oldham* - - 39,655, 39,797

D.

Darbhanga (*see* Rameshwar Singh).

Das, Madhu Sudan, evidence of - - 39,081–226

Departmental Examinations (*see under* Training).

Deputy Collectors (*see* Collectors, Deputy).

Director of Land Records and Agriculture:

Addition of post to grades of magistrate and collector, objection to rules, *Le Mesurier* - 38,005

as Listed post advocated, *Rama Ballabh Misra*, 40,248; *Sinha*, 40,971.

Local allowance of Rs. 250 per mensem advocated, *Le Mesurier* - - - - - - 38,028

Post should not be reserved to I.C.S., *Campbell* 38,925, 39,015

District Charges:

at Age of thirty advocated, *Kershaw* - 40,782–3

charge Allowance under time scale suggested, *Kershaw* - - - - - - - 40,712

European officer preferred in planters' district, *Jameson* - - - - - - - 41,237–8

District collectors (*see* Collectors).

District judges (*see* Judges).

E.

Education, Indian:

Advance, *Mazharul Haque* - - 40,444, 40,488

Assimilation to European not objected to, if without discarding Indian culture *Sinha*, 41,088, 41,138–45

no College admitting Indians where training given on lines of English public school - 39,781–2

Difference between provinces, *Hasan Imam* 41,603–9

Effect of simultaneous examinations on, *Sinha*, 41,085–97, 41,138–45; *Hasan Imam* 41,673–9.

Graduates, number, *Sinha* - - - 41,149–51

Methods adverse to forming tone as gained in English public school, *Kingsford* - - 39,230

Progress made, but not rapid, and details *re* graduates, &c., *Madhu Sudan Das* - 39,196–200

Educational Service, time scale in force and works well, *Le Mesurier* - - - - - 38,016

Eurasians, number recruited for Executive Branch of P.C.S., and number selected for officiating promotion, *Le Mesurier* - - - - - - 38,047

European culture, value of, *Sinha* - - - 41,137

European Officials:

EMPLOYMENT OF MINIMUM PROPORTION IN HIGHER POSTS:

Approved, *Madhu Sudan Das*, 39,089, 39,124–5, 39,185; *Krishna Sahay*, 40,162–5; *Rama Ballabh Misra*, 40,239, 40,295; *Mazharul Haque*, 40,593, 40,606–8; *Sinha*, 41,072; *Hasan Imam*, 41,564–6.

not Approved, *Krishna Sahay*, 40,123, 40,161; *Mazharul Haque*, 40,455, 40,591–5.

Fixing of minimum not necessary, *Le Mesurier*, 37,954; *Kingsford*, 39,402–3; *Oldham*, 39,620; *Sinha*, 40,963; *Fakhr-ud-din*, 41,358; *Mazharul Haque*, 40,455, 40,591–5; *Kershaw*, 40,682, 40,765; *Hasan Imam*, 41,527, 41,562.

Fixing of proportion, objection to, *Rainy*, 38,384, 38,564–8; *Filgate*, 39,505.

Minimum of two-thirds advocated, *Mullick* 41,713

(*see also* Statutory Regulations.)

Numbers of, recruited for Executive Branch of P.C.S., and numbers selected for officiating promotion, *Le Mesurier* - - - 38,047

no Objection to diminution in number of, if qualified Indians found, *Hasan Imam* - - 41,671–2

Preponderance of, giving up of, inadvisable in present state in India, *Ali Ahmad* - 38,684, 38,785

Examinations (*see under* Indian Civil Service Examination, Separate, *and* Simultaneous).

Exchange Compensation Allowance (*see under* Pay, I.C.S.).

Excise Commissioners (*see* Commissioners of Excise).

Executive Branch, I.C.S.:

Overworked, *Oldham*, 39,603; *Jameson*, 41,270–1.

(*see also under* Judicial Branch, I.C.S.)

PENSIONS:

Extra amount suggested for each year served after minimum period, on conditions, *Oldham* 39,676, 39,680

Special, advocated in certain posts, after five years' service, *Le Mesurier* - - - - 38,034

Probation, one year sufficient, *Fakhr-ud-din* - 41,380

Study of law, elementary principles should be included in departmental examination, *Fakhr-ud-din* 41,371

TRAINING:

Value of, *Jameson*, 41,290–308; *Hasan Imam*, 41,653–5.

(*see also* Training, I.C.S.)

Executive Branch, P.C.S.:

GRADING:

Alterations suggested, *Oldham*, 39,701; *Rama Ballabh Misra*, 40,258, 40,262; *Sinha*, 40,999; *Fakhr-ud-din*, 41,381, 41,510.

Regrading under consideration, *Le Mesurier* 38,066, 38,068, 38,371–2

Statement of posts in each grade and time spent by first two officers in that grade, *Rama Ballabh Misra* - - - - - - - - 40,258

Executive Branch, P.C.S.—*continued.*
Judicial Functions, combination and separation (*see under* Judicial Branch, P.C.S.).
LEAVE:
Allowances, maximum and minimum limits approved, *Rama Ballabh Misra* - - - 40,269
on Full pay (Privilege):
Amount, *Ali Ahmad* - - - - 38,856
Amount allowed suitable, *Le Mesurier*, 38,071; *Rama Ballabh Misra*, 40,266.
Full amount usually taken, *Le Mesurier*, 38,071; *Rama Ballabh Misra*, 40,266.
Undesirable restrictions, *Rama Ballabh Misra* 40,273
Furlough:
Allowance, no objections to present rates, *Rama Ballabh Misra* - - - - - 40,268
Amount due usually taken only on account of health, and adequate provision advised, *Rama Ballabh Misra* - - - - - 40,267
Increase desirable, and suggestions, *Rama Ballabh Misra* - - - 40,267, 40,273
More taken than formerly, *Le Mesurier*, 38,070; *Rama Ballabh Misra*, 40,265.
Privilege (*see* on Full Pay *above*).
Reserve:
Adequate, *Le Mesurier* - - - - 38,056
None, but need for, *Ali Ahmad* - - 38,750
Rules, only slight inconvenience to administration and a few supernumerary officers suggested to fill vacancies, *Rama Ballabh Misra* - 40,271
Special:
Conditions generally suitable, *Rama Ballabh Misra* - - - - - - - 40,270
for Period not exceeding six months' advocated, *Rama Ballabh Misra* - - - - 40,270
(*see also* Leave, P.C.S.)
Overwork and block in promotion, *Oldham* 39,603, 39,736
PAY:
Inadequate, *Rama Ballabh Misra* - - 40,263
Rates of pay, alterations suggested, *Oldham*, 39,701; *Rama Ballabh Misra*, 40,262; *Sinha*, 40,999; *Fakhr-ud-din*, 41,381.
Rates, 1st April 1912, *Le Mesurier* - - 38,065
Time scale:
Approved with approved service as test and higher standard of efficiency in higher grades, *Rama Ballabh Misra* - - - 40,408–12
Drawbacks, *Rama Ballabh Misra* - - 40,262
Scheme, *Ali Ahmad* - - - - 38,764
(*see also* Pay, P.C.S.)
Pensions (*see under* Pensions, P.C.S.).
Probation (*see under* Probation, P.C.S.).
PROMOTION:
Board of Promotion and Selection advocated, *Mullick* - - - - - - - - 41,772(*i*)
Officiating, absence of, source of disappointment and introduction advocated, *Rama Ballabh Misra* 40,263
Ordinary good work sufficient for ordinary grade promotions and reward of special merit by special posts advocated, *Rama Ballabh Misra* 40,259
by Selection above fourth grade, and method, *Le Mesurier* - - - - - - - 38,059
by Seniority to grade of Rs. 500 if additional grade of munsifs created, suggested, *Sinha* 40,990
System of confidential reports, objection to, and alteration suggested, *Ali Ahmad* - - 38,752
(*see also* Promotion, P.C.S.)
RECRUITMENT:
Age, 27 advocated, *Fakhr-ud-din*, 41,378, 41,443–9
Combined nomination and examination advised, and scheme, *Fakhr-ud-din* - - - 41,378
by Competitive examination advocated, *Mazharul Haque* - - - - - 40,478, 40,506–7
Nomination from each community and competition subsequently among nominees suggested, *Oldham* - - - - - - - 39,687–8
Number of officers recruited and distribution by race, *Le Mesurier* - - - - 38,047

Executive Branch, P.C.S.—*continued.*
RECRUITMENT—*continued.*
Proof of respectability and social position necessary, *Fakhr-ud-din* - - - - - 41,378
by Promotion from Subordinate Service not objected to, *Fakhr-ud-din* - - - - 41,431
Rate of, *Le Mesurier* - - - - - 38,058
Rules, *Le Mesurier* - - - - - p. 22–3
Rules recently revised to suit candidates of province, *Le Mesurier* - - - - - 38,045
(*see also* Recruitment, P.C.S.)
Retirement after 55 years of age advocated, but exceptional cases should be treated on merits, *Rama Ballabh Misra* - - - - 40,275
Revenue cases, land revenue, cases about zamindars, landlords and tenants done by, *Madhu Sudan Das* 39,142–3
TRAINING:
Departmental examinations:
Suitable and necessary, *Ali Ahmad* - - 38,747
System suitable, *Le Mesurier* - - 38,053
Rules, *Le Mesurier* - - - - - 38,052
System satisfactory, *Le Mesurier* - - 38,052
(*see also* Training, P.C.S.)
Vacation, *Ali Ahmad* - - - - 38,859–61

Executive Branch, subordinate service (*see* Subordinate Executive Service).

Executive Council (*see* Council).

F.

Fakhr-ud-Din, Khan Bahadur Saiyd, evidence of 41,340–513

Family Pension Fund:
no Further facilities necessary for members of P.C.S. *Kershaw* - - - - - - 40,735, 40,757
some Scheme desirable. *Rama Ballabh Misra* 40,279
(*see also* Indian Family Pension Fund.)

Filgate, Townley Richard, C.I.E., evidence of 39,494–596

Financial Commissioners (*see under* Commissioners. Financial).

Foreign Department, time-scale works well, *Kershaw* 40,714

Forest Services, time-scale in force and works well, *Le Mesurier* - - - - - - - - 38,016

Furlough (*see under* Leave).

G.

General Provident Fund (*see* Provident Fund).

Government, composition of, *Le Mesurier* 38,089–90

Government of India Act, 1870, definition of "Natives of India" (*see under* Indians).

Government Residences (*see* Residences).

Government Scholarships (*see* Scholarships).

Government Secretaries (*see* Secretaries).

Governor General's Council (*see* Council).

Grading (*see under* Pay).

H.

Haque, Mazharul, evidence of - - 40,437–667

Hasan Imam, Syed, evidence of - - 41,541–692

Heads of Departments:
Charge allowance under time-scale, *Kershaw* 40,712
Selection by examination of candidates nominated by, for P.C.S. advocated, *Kershaw* - - 40,737

High Courts (*see* Courts, High).

Hindus:
Mussulmans make better officers, *Campbell* - 38,985
Untouchables, question of want of sympathy towards, *Campbell* - - - - - - - 39,026–39
(*see also under* Indians.)

Home Civil Service Examination, combination with Indian Civil Service Examination (*see under* Indian Civil Service Examination).

I.

India, prospect of one nationality, *Madhu Sudan Das* 39,192–3

Indian Civil Service:

CADRE:
Considered insufficient, *Le Mesurier*, 38,096–8; *Rama Ballabh Misra*, 40,313–6.
State of, nearly normal, *Le Mesurier* - - 37,991
Strength of, *Le Mesurier* - - 37,992, 38,000
Declining popularity, and reasons and danger of, *Oldham*, 39,597, 39,920; *Kershaw*, 40,838–43; *Rama Ballabh Misra*, 40,243, 40,306; *Kershaw*, 40,608, 40,671, 40,760–2, 40,838–43.
Duties more onerous, *Oldham* - 39,597, 39,920
for Executive administration only, advocated, *Fakhr-ud-din*, 41,350; *Sinha*, 40,979, 41,026.
Hostile criticism, *Oldham* - - - - 39,597
Improvements suggested, order of importance, *Kershaw* - - - - - - - 40,804
JUNIOR CIVILIANS:
Greater consideration in treatment of Indians advocated, *Hasan Imam* - - - 14,540
some Married before arrival in India, and disadvantage, *Filgate* - - - - 39,560–3
Usually sympathetic in dealings with people, *Campbell* - - - - - - - 38,968
Listed posts (*see that title*).
Manned by Indians only in future, no objections, *Mazharul Haque* - - - 40,495–8, 40,592–5
Officials not as accessible to masses as formerly, and complaints, *Madhu Sudan Das* 39,102, 39,161–3, 39,190, 39,203–6
Over-work and increase of office work, *Campbell*, 38,932, 38,966–7, 38,986–90, 38,992–5; *Filgate*, 39,551; *Oldham*, 40,092–7; *Rama Ballabh Misra*, 40,313–6.
Vacancies, separate declaration for India in case of simultaneous examinations not needed, *Hasan Imam* - - - - - - - 41,638–44
(*see also* Conditions of Service, Leave, Pay, *and* Pensions.)

Indian Civil Service Act, 1861 (*see under* Statutory Regulations).

Indian Civil Service Association, Bengal Branch, opinions correspond with those of Government of Bihar and Orissa, *Kingsford* - - 39,308–9

Indian Civil Service Examination:

AGE LIMITS:
17–19:
Advocated and reasons, *Oldham*, 39,611–2, 39,831; *Mullick*, 41,705–6.
Objections, *Le Mesurier*, 37,947; *Kershaw*, 40,859–61.
18–19 on January 1st, advocated, *Kingsford* 39,233, 39,270–1
18–23 advocated, to allow both University men and school-leaving boys to appear, *Ali Ahmad* 38,692
20–22 advocated, *Le Mesurier*, 37,946, 38,111; *Kershaw*, 40,677, 40,859–66.
21–23 advocated, *Rainy*, 38,387, 38,577–9, 38,625–8; *Mazharul Haque*, 40,449.
23 advocated, *Rama Ballabh Misra*, 40,242; *Fakhr-ud-din*, 41,352.
23 or 24 advocated for Natives of India, *Ali Ahmad* 38,695
Differentiation between Natives of India and other natural-born subjects of the King:
not Advocated, *Le Mesurier*, 37,950; *Campbell*, 38,924; *Kingsford*, 39,236; *Filgate*, 39,503; *Oldham*, 39,615; *Krishna Sahay*, 40,119; *Rama Ballabh Misra*, 40,245; *Mazharul Haque*, 40,451; *Kershaw*, 40,876–81; *Jameson*, 41,203; *Hasan Imam*, 41,600–1, 41,524.
Question of, *Le Mesurier* - 37,950, 38,234
Earlier:
Advocated, *Kingsford*, 39,236, 39,276; *Oldham*, 39,597, 39,718–9, 39,870–2; *Kershaw*, 40,671, 40,704, 40,783–4, 40,859–66.
more Favourable to Indians, *Oldham*, 39,611, 39,615, 39,722–3, 39,818–24; *Mullick*, 41,708.
Revision of curriculum necessary, in event of, *Oldham* - - - - - - 39,831

Indian Civil Service Examination—*continued.*

AGE LIMITS—*continued.*
Mental calibre same under two systems, but more exceptional men provided under old system of 17–19 age limit, *Kingsford* - 39,234, 39,330
Present age limits:
Satisfactory, *Rainy*, 38,449; *Krishna Sahay*, 40,117, 40,119; *Rama Ballabh Misra*, 40,245; *Sinha*, 40,957, 40,959; *Jameson*, 41,201, 41,245; *Hasan Imam*, 41,522, 41,524.
Suitable for Indians, *Sinha* - 40,957, 40,959
University, and increasing importance of honours' course, *Rainy* - - - - 38,504–12
does not Attract best men, *Oldham* - 39,597
COMBINATION WITH HOME AND COLONIAL SERVICES EXAMINATION:
some Advantages, but separation would favour I.C.S., *Kershaw* - - - - - 40,670
Approved and advantages of, *Le Mesurier*, 37,937; *Kingsford*, 39,229; *Filgate*, 39,496; *Krishna Sahay*, 40,108; *Sinha*, 40,948; *Jameson*, 41,195; *Hasan Imam*, 41,516; *Mullick*, 41,697.
not Approved, *Madhu Sudan Das*, 39,082; *Oldham*, 39,601; *Rama Ballabh Misra*, 40,238.
Exclusion of colonials suggested, *Mazharul Haque*, 40,440; *Fakhr-ud-din*, 41,343, 41,484–6, 41,496.
Extension of age due to, undesirable, *Kingsford* 39,229
Home service now more popular, *Rainy* 38,383
Separation might increase chances of Indians, *Fakhr-ud-din* - - - - 41,499–500
some Defects in detail, *Fakhr-ud-din* - - 41,340
not Designed with view to requirements of Indians, but has worked well, *Le Mesurier* - - 37,935
Differentiation between natural-born subjects of His Majesty not necessary, *Le Mesurier*, 37,936; *Rama Ballabh Misra*, 40,237; *Kershaw*, 40,670; *Fakhr-ud-din*, 41,356; *Mullick*, 41,696.
for Indians, completion of education in England, advantages of, *Rainy* - - - - 38,384
List of Indians now serving in province recruited by, *Le Mesurier* - - - - - - - 37,958
Natives of India recruited by, as efficient on the average as Europeans, and employment in all branches found possible and expedient, *Ali Ahmad* 38,762
Objections, men sent out do not feel a mission before them to raise India and difficulty increasing, *Madhu Sudan Das* - - - - - 39,175–8
Possibly not equally suitable for Indians, but adoption of different systems objected to, *Rainy* 38,382, 38,568–70
if Proportion of Indian candidates increased, or number of appointments open to, increased, suitability of system would have to be reconsidered, *Le Mesurier* - - - - - 37,935
PRESENT SYSTEM:
Results good on whole, but not ideal theoretically, *Kershaw* - - - - - 40,668, 40,670
Retention advised, *Le Mesurier*, 38,094; *Kershaw*, 40,672, 40,846; *Mullick*, 41,698, 41,714.
Satisfactory in principle, *Le Mesurier*, 37,934; *Ali Ahmad*, 38,680; *Campbell*, 38,916, 38,920; *Kingsford*, 39,227, 39,260; *Krishna Sahay*, 40,105, 40,109; *Rama Ballabh Misra*, 40,235, 40,290; *Sinha*, 40,945; *Jameson*, 41,192; *Fakhr-ud-din*, 41,340; *Hasan Imam*, 41,514; *Mullick*, 41,693–4, 41,695, 41,698.
not Entirely satisfactory as too much preponderance given to mere scholarship, *Filgate* 39,494, 39,534–5
not Satisfactory, and disadvantageous to Indians, *Rama Ballabh Misra*, 39,260; *Oldham*, 39,597, 39,721; *Krishna Sahay*, 40,106–7; *Mazharul Haque*, 40,374–9, 40,486; *Sinha*, 40,945–7; *Fakhr-ud-din*, 41,341; *Hasan Imam*, 41,515, 41,559; *Mullick*, 41,695.
equally Suitable for Indians and Europeans, *Rainy*, 38,382, 38,568–70; *Campbell*, 38,917.
not equally Suitable for Indians, *Ali Ahmad*, 38,682; *Kingsford*, 39,228, 39,261; *Kershaw*, 40,669, 40,763.

Indian Civil Service Examination—*continued.*
SYLLABUS:
of 1892–1905 period preferred, but addition of Persian languages and literature advised, *Oldham* - - - - - - - - 39,617
if Age 21–23, Indian law and English law should be compulsory, *Mullick* - - - - 41,739
no Alterations suggested, *Jameson* - - 41,203
Differentiation between Indians and others not necessary, *Le Mesurier*, 37,952; *Madhu Sudan Das*, 39,087; *Kingsford*, 39,238; *Oldham*, 39,618; *Krishna Sahay*, 40,121; *Rama Ballabh Misra*, 40,246; *Mazharul Haque*, 40,453; *Sinha*, 40,959, 40,961; *Jameson*, 41,205; *Hasan Imam*, 41,526; *Mullick*, 41,711.
Greek, Latin, French, and German unnecessary, *Ali Ahmad*, 38,698; *Fakhr-ud-din*, 41,355, 41,463–7.
Indian history should be made separate subject, *Rainy*, 38,390; *Mullick*, 41,710.
Law:
Important branches should be prescribed, *Madhu Sudan Das* - - - - - 39,103
Knowledge of fundamental principles of law most important and questions of inclusion, *Madhu Sudan Das* - - 39,086, 39,153–8
Marks should be increased, *Rainy* - 38,390
Lord Macaulay's Committee, principle accepted, *Le Mesurier*, 37,951; *Rainy*, 38,390; *Ali Ahmad*, 38,690, 38,696; *Kingsford*, 39,237; *Oldham*, 39,616; *Kershaw*, 40,680; *Hasan Imam*, 41,525; *Mullick*, 41,709, 41,727.
Pali and Persian should be included, *Krishna Sahay*, 40,120, 40,201–5; *Mazharul Haque*, 40,452, 40,487; *Sinha*, 40,960, 41,140; *Fakhr-ud-din*, 41,355, 41,463–7.
Persian and Arabic advocated, and reasons, *Oldham* 39,961–6
Political science marks should be decreased, and those for political economy increased, *Rainy* 38,390
Sanskrit and Arabic should be marked equally with Greek and Latin, *Ali Ahmad*, 38,697; *Krishna Sahay*, 40,120, 40,201–5; *Mazharul Haque*, 40,452, 40,487; *Sinha*, 40,960, 41,140.
Sanskrit, Arabic, and Persian, maximum number of marks allotted to, should be increased, *Oldham* - - - - - - - - 39,617
Specialisation not desirable, *Le Mesurier* 37,951, 38,262–4
Subjects selected with view to peculiar needs of Indian administration advisable, *Madhu Sudan Das* - - - - - - - - 39,082
Suggestions, *Mullick* - - - - - 41,710
Unsuitable men, a certain number get through, and test not perfect, *Le Mesurier* - - 38,249–52
Vivâ voce examination, desirable, *Le Mesurier*, 37,966, 38,235–7, 38,253–4; *Oldham*, 39,617, 39,866–72, 39,922–5.

Indian Family Pension Fund:
ADMISSION OF INDIANS:
Advocated, *Oldham*, 39,683–4; *Sinha*, 40,989; *Mullick*, 41,765, 41,767.
Compulsory, advocated, *Fakhr-ud-din*, 41,388, 41,473–6; *Mullick*, 41,766.
should be Optional, option to be exercised at time of signing covenant, *Le Mesurier*, 38,040–1; *Kershaw*, 40,733–4.
Regulations and working of, satisfactory, *Le Mesurier*, 38,039; *Kershaw*, 40,732; *Mullick*, 41,764.
Unfair to exact contributions from unmarried men, *Oldham* - - - - - - 39,682, 39,755

Indian Students in England:
Large number, and difficulty of going to England is exaggerated, *Le Mesurier* - - 38,231–2
Many objections to sending children to London, *Rama Ballabh Misra* - - - - - 40,327–9
Number sent to England and entering for open competitive examinations, *Sinha* - 41,152–4

Indians:
DEFINITION OF "NATIVES OF INDIA":
Approved, *Ali Ahmad*, 38,691; *Campbell*, 38,922, *Oldham*, 39,610; *Rama Ballabh Misra*, 40,240, *Kershaw*, 40,676; *Jameson*, 41,200; *Fakhr-ud-din*, 41,351.
Exclusion of persons of unmixed European descent advocated, *Krishna Sahay*, 40,116; *Mazharul Haque*, 40,448, 40,535–41, 40,587–90, 40,621; *Sinha*, 40,956, 41,111–5.
should Include subjects of Native States, *Le Mesurier*, 37,945; *Hasan Imam*, 41,521; *Mullick*, 41,704.
HIGHER POSTS, INCREASE IN NUMBER OF, OCCUPYING:
Desirable, *Madhu Sudan Das* - - - 39,126
not Desirable, *Campbell* - - 38,926–7, 39,008, 39,018–25, 39,068–9
IN SERVICE:
Increase in number:
Desirable, *Mazharul Haque*, 40,498; *Sinha*, 40,945, 41,006, 41,053–4.
not Desirable, *Campbell* - - 38,934, 39,064
Hoped for, *Hasan Imam* - - - 41,564–8
Number settled by considerations of efficiency, *Oldham* - - - - - - - 39,926–9
lack of Sympathy with common people, *Campbell* 38,918, 38,934, 38,944–9, 38,964, 39,013–4, 39,026–9, 39,035–9, 39,054–8
Very few live to enjoy pension, *Sinha* - - 41,066

Industrial developments, Patna, *Oldham* - 39,777–8

Inefficient Officers, retirement of, on reduced pension (*see under* Pensions *and under* Retirement).

Inferior Posts, I.C.S. (*see under* Conditions of Service).

Inspector-General of Police (*see under* Police).

Inspector-General of Registration (*see* Registration. Inspector-General of).

Insufficiency of Staff, I.C.S.:
Cadre is insufficient, *Le Mesurier*, 38,096–3; *Rama Ballabh Misra*, 40,313–6.
District officers are overworked, *Le Mesurier*, 38,130–3; *Rainy*, 38,444; *Campbell*, 38,932, 38,966–7, 38,986–95; *Jameson*, 41,271–2.
Officers are nearly all overworked, *Oldham*, 39,603 *Jameson*, 41,270–1.

Insufficiency of Staff, P.C.S.:
Executive and judicial officers are nearly all overworked, *Ali Ahmad*, 38,749, 38,801–4; *Oldham*, 39,603, 39,714, 39,735–6, 39,957–8, 40,092 7; *Rama Ballabh Misra*, 40,313–6.
Executive and judicial sides both need strengthening,
EXECUTIVE BRANCH:
Leave reserve:
Adequate, *Le Mesurier* - - 38,056, 38,070
Inadequate, *Ali Ahmad*, 38,750; *Rama Ballabh Misra*, 40,257, 40,413.
Strength of, satisfactory, *Mullick* - - 41,772(*g*)
JUDICIAL BRANCH:
Civil judicial staff overworked, *Oldham*, 39,603, 39,705; *Sinha*, 40,995, 41,048 50, 41,061, 41,076–8.
Needs strengthening, *Mullick* - - 41,772(*g*),
Number of munsifs and subordinate judges should be increased, *Kingsford*, 39,480–1; *Fakhr-ud-din*, 41,381, 41,433–5; *Mullick*, 41,772(*g*), 41,857–9.
Method of fixing strength satisfactory, *Le Mesurier* 38,055

J.

Jameson, J. V., evidence of - - - 41,192–339

Judges, District and Sessions:
Additional, might be sent up more freely in some districts, *Kingsford* - - - - 39,300–1
not Able to exercise sufficient supervision over subordinate courts, and consequent delays in civil justice, *Kingsford* - - - - - 39,232
Bar, recruitment from (*see under* **Recruitment,** *next col.*).

Judges, District and Sessions—*continued.*
CIVILIANS:
make Good judges and are better judges of fact, *Kingsford*, 39,232, 39,340–59, 39,363–8, 39,427–30, 39,471–4; *Oldham*, 39,646.
Legal knowledge and training inadequate, *Rainy*, 38,386; *Kingsford*, 39,232; *Rama Ballabh Misra*, 40,240; *Sinha*, 41,055–7.
Judicial work by, dissatisfaction with, *Sinha* 41,026
Preferred to lawyer, *Kingsford*, 39,232; *Mullick*, 42,019, 42,021.
Classification of, in order of merit yearly, by inspection judge advocated, *Mullick* - - - 41,743
Control of, by High Court, *Le Mesurier* - 38,004
Difference between grades of District Magistrate and Collector, and, should be abolished, *Ali Ahmad* 38,739
DUTIES:
some Appeals might be transferred to, *Kingsford*, 39,457; *Oldham*, 39,635, 39,761–4, 39,974–86, 40,027–9.
no Executive functions, *Kingsford* - - 39,250
Nature of work, *Le Mesurier* - - - - 38,004
not Enough time for inspection of subordinate courts, but necessity for permanent increase of staff doubtful, *Kingsford* - - - - 39,296–301
EXPERIENCE, VALUE OF:
Executive, *Le Mesurier*, 37,944; *Mazharul Haque*, 40,575–9, 40,599–600.
Revenue, *Ali Ahmad* - - - - 38,739
Hold judicial posts only after appointment as, *Oldham* - - - - - - 39,655
Increase in number advised, *Mullick* - 41,770
INDIAN:
Comparison with Europeans, *Krishna Sahay* 40,211–2
if Increased, recruitment by system of nomination in India preferred, *Le Mesurier* - - 38,316
LEGAL KNOWLEDGE:
to Ascertain facts more important than great, *Kingsford* - - - - - - - 39,232
Higher study, examination advised, *Kingsford* 39,248
Injustice due to lack of, *Mazharul Haque* 40,447, 40,659–61
LISTED POSTS:
Number, and number filled by members of P.C.S., *Le Mesurier* - - - - - - - 37,961
One third advocated, *Mullick* - 41,719, 41,772(*k*)
Position worse than that of subordinate judge, first grade, *Rama Ballabh Misra* - - - 40,436
Work satisfactory, *Madhu Sudan Das* 39,149–50, 39,223
Methods of civil and criminal judges in dealing with evidence essentially different, *Kingsford* 39,364–8
Number and rates of pay, 1st April 1912, *Le Mesurier* - - - - - - - - 38,007
PAY:
Present rates, *Le Mesurier*, 38,007; *Oldham*, 40,888; *Jameson*, 41,325–9.
Time scale, rates suggested under, *Kershaw* 40,712
Promotion to, after ten or twelve years' service, advised, *Kingsford* - - - - - 39,248
RECRUITMENT:
from the Bar:
Advocated, *Mazharul Haque* - 40,447, 40,516–9, 40,575
no Application received, *Le Mesurier* - 38,305–7
One third from I.C.S., one third from the Bar, and one third from P.C.S., necessity and desirability not seen, *Rainy* - - 38,617–8
Proved men of ability in P.C.S. might be appointed, but rigorous selection advised and details, *Kingsford* - - - - - - - 39,482–9
from Sub-judges, men usually too old, *Rainy* 38,534–5
from Subordinate judges and practising vakils and barristers advocated, *Sinha* - 40,955, 40,962, 40,979–80
Subordinate judges, one-fourth of posts should be given to, *Fakhr-ud-din* - - - 41,381

Judges, District and Sessions—*continued.*
RECRUITMENT—*continued.*
Selection from public prosecutors, question of, *Rainy* - - - - 38,442, 38,532–3
(*see also under* Recruitment *under* Judicial Branch, I.C.S.)
Subordinate judges and munsifs equal if not superior to, *Hasan Imam* - - - - - - 41,690–2
Supervision of subordinate magistrates by, disadvantage, *Rainy* - - - - - - 38,632–6
should be Trained to determine truth of evidence, *Rama Ballabh Misra* - - - - 40,421–2
Unlikely to find Government Pleader or Public Prosecutor who would be more successful, *Kingsford* - - - - - - - - 39,295
Work to be supervised by High Court, *Mullick* 41,743

Judges, High Court:
Barrister, special pension, unfair and anomalous, *Oldham* - - - - - - 39,677, 39,849–52
Extent of personal inspection of courts in mufassal, *Mullick* - - - - - - - - 41,861
Increase of pay advocated, and reasons, *Mullick* 41,739
Number and pay, 1st April, *Le Mesurier* - 38,007
PENSION:
Continuance of present rate advocated, with reduction of period from 11½ to five years, *Mullick* 41,759
Increase advocated, and effect, *Le Mesurier*, 38,033; *Oldham*, 39,676, 39,855, 39,967–72.
Recruitment for, from District and Sessions Judges advocated, *Hasan Imam* - - - - 41,577
Substitute for Registrar on appellate side who should be member of Board of Promotion, suggested, *Mullick* - - - - 41,743, 41,961–9

Judge, inspecting, officer to combine posts of Registrar and, advocated, *Mullick* 41,772(*h*), 41,860–2, 41,961–9

Judges, Subordinate:
Comparison with district judges, *Hasan Imam* 41,690–2
no Fault to find with work of, *Campbell* - 39,070
First grade, position of district judge, listed officer, worse than that of, *Rama Ballabh Misra* - 40,436
Increase of number advocated, *Fakhr-ud-din*, 41,381; *Mullick*, 41,772(*g*), 41,857.
INDIAN:
Acting as Assistant Sessions Judge, disposes of important criminal cases without experience of criminal law, *Kingsford* - - 39,232, 39,475–9
Decisions on fact and law satisfactory, and comparison with Europeans, *Sinha* - 41,173–5
Unprofessional English civilian superior to, *Kingsford* 29,354–9, 39,232, 39,363–8, 39,427–30
Investment of, with Assistant Sessions Judges' powers, *Ali Ahmad* - - - - 38,875–9
Number of posts and rates of pay, *Ali Ahmad* 38,759
Overworked, *Fakhr-ud-din* - - - 41,433–5
Promotion to district and sessions judgeships, sub-judges should receive, *Sinha*, 40,955, 40,979–80, 41,018; *Fakhr-ud-din*, 41,381.
Recruitment, men too old on becoming sub-judges, *Le Mesurier*, 38,045; *Mullick*, 41,772(*g*).
Regrading desirable, *Ali Ahmad*, 38,760, 38,863–74; *Oldham*, 39,813.
Removal of cases of over Rs. 1,000 from munsifs to, proposed, *Sinha* - - 40,995, 41,061–2, 41,068
Subscribers to General Provident Fund, *Le Mesurier* 38,082
Try civil suits, *Krishna Sahay* - - - 40,151

Judicial Administration:
Criminal cases, pleaders necessary where cases tried in towns in court, *Rama Ballabh Misra* 40,380–2
Defects, *Rainy*, 38,386, 38,402; *Madhu Sudan Das*, 39,170–1; *Mazharul Haque*, 40,447.
History and remarks *re* statements, *Mazharul Haque* 40,447, 40,656–8
Miscarriage of justice, cases cited, and papers to be sent up, *Mazharul Haque* - - 40,626–52

Judicial Administration—*continued.*
Procrastination in, and administration fallen into disrepute and reasons, *Kingsford* - 39,232, 39,319–26, 39,412–20
Villagers at disadvantage owing to magistrate and pleader being ignorant of language, *Campbell* 38,968, 39,000–3

Judicial Branch, I.C.S.:
BIFURCATION:
after 5 years' service, advocated, *Le Mesurier*, 37,985; *Kingsford*, 39,248, 39,282–3; *Oldham*, 39,646, 39,916–8, 40,041–2.
after 6 years advocated, *Rainy* 38,400, 38,436–7, 38,602–8
between 7th and 8th year, advocated, and officer should be called to bar, *Mullick* - - 41,739
on Completion of probation advocated, *Fakhr-ud-din* 41,350, 41,427–9
too Late at present, *Rainy* - - - 38,386
after Passing examination, *Le Mesurier* - 38,373
Criminal justice, administration more efficient and prompt than civil owing to supervision by District Magistrate, *Kingsford* 39,232, 39,319–26, 39,412–20
DIFFERENTIATION OF JUDICIAL AND EXECUTIVE FUNCTIONS:
no Change desirable, *Kingsford*, 39,250, 39,367–89; *Jameson*, 41,227; *Mullick*, 41,744, 41,838.
Details, *Ali Ahmad*, 38,739; *Kingsford*, 39,250; *Oldham*, 39,655; *Krishna Sahay*, 40,151; *Jameson*, 41,279–84.
None during first five years advised, *Oldham* 39,655
Improvement in personnel recently, and further progress hoped for, *Kingsford* - - 39,279–81
Judicial powers of executive officers held *in terrorem* over people, and examples, *Mazharul Haque* 40,447, 40,625–67
Overwork, *Oldham* - - - - - 39,603
Pay, rates higher than for collectors to induce officers to choose judicial line, and question of, and less necessity now, *Oldham* - - - 40,036–43
Progressive stages in training and career, *Kingsford* 39,248
PROMOTION:
Alteration *re*, necessary, *Mullick* - - 41,743
Reading in Chambers and study in Inns of Court should count for, *Mullick* - - - 41,739
RECRUITMENT:
from the Bar:
Advocated, *Krishna Sahay*, 40,139–40, 40,166–9; *Mazharul Haque*, 40,447, 40,516–9, 40,604; *Sinha*, 40,955, 40,979–80, 41,018–25, 41,027, 41,058; *Fakhr-ud-din*, 41,350, 41,427, 41,453–63; *Hasan Imam*, 41,520, 41,560–1, 41,573–8, 41,646–7.
not Advocated, and reasons, *Le Mesurier*, 38,258–9, 38,308–20; *Rainy*, 38,386; *Kingsford*, 39,232, 39,289–95, 39,340–68; *Rama Ballabh Misra*, 40,240, 40,305, 40,345–52, 40,424–5.
Confining of, to Government pleaders not advocated, *Rainy* - - - - - 38,613–5
in England, disadvantages, *Rainy* - 38,386, 38,593–5
Friction with executive branch not anticipated, *Sinha* - - - - - - - 41,027
from Leaders not advocated, *Hasan Imam* 41,680–4
to Lowest rung of ladder as at present advised, *Rama Ballabh Misra* - - - - 40,426
Question of, *Ali Ahmad* - - - 38,899–903
Question as to obtaining sufficient suitable men, *Le Mesurier*, 38,259–60; *Kingsford*, 39,340; *Rama Ballabh Misra*, 40,345–7; *Mazharul Haque*, 40,654–5; *Sinha*, 40,955, 41,019–25, 41,058; *Hasan Imam*, 41,577.
Question as to effect on tone of the Bar, *Rainy* 38,616

Judicial Branch, I.C.S.—*continued.*
RECRUITMENT—*continued.*
Separate:
Advocated, *Mazharul Haque*, 40,447; *Sinha*, 40,955, 40,979–80, 41,110.
not Advocated, *Le Mesurier*, 37,944; *Ali Ahmad*, 38,690; *Kingsford*, 39,232, 39,340–68, 39,392–3, 39,467; *Filgate*, 39,501; *Oldham*, 39,609; *Rama Ballabh Misra*, 40,240; *Jameson*, 41,199; *Mullick*, 41,703, 42,016–8.
from Subordinate judges advocated, *Krishna Sahay*, 40,139–40; *Sinha*, 40,955, 40,979–80, 41,018–25, 41,027, 41,058.
one Third from I.C.S., not objected to, *Sinha* 41,028–9, 41,056–7
from Vakils enrolled in High Court advised, *Hasan Imam* - - - - - - - 41,627–30
SEPARATION FROM EXECUTIVE BRANCH:
Advocated, *Krishna Sahay*, 40,151, 40,180–1, 40,206–12, 40,213–34; *Mazharul Haque*, 40,447, 40,625–67, *Sinha*, 40,979, 41,126–32; *Fakhr-ud-din*, 41,350; *Hasan Imam*, 41,531, 41,632–7.
not Advocated, *Rainy*, 38,537–63; *Kingsford*, 39,250, 39,302–7, 39,369–97, 39,410–1; *Filgate*, 39,581; *Oldham*, 39,655; *Jameson*, 41,273.
Tendency in direction of, increasing, *Kingsford* 39,250, 39,302–7
STUDY LEAVE:
not Advocated, *Kingsford* - - - - 39,246
no Reason to suppose men would not utilise, *Le Mesurier* - - - - - - - 38,302
Scheme, *Le Mesurier* - - - - 37,985–6
Suggestions, *Rainy* - - - - - 38,400
TRAINING:
Civil work, &c. from completion of probation, *Fakhr-ud-din* - - - - - - 41,350, 41,430
Civilians', unsatisfactory, *Fakhr-ud-din* 41,350, 41,426
in England not preferred to practical training in India, *Madhu Sudan Das* 39,211–2, 39,224–5
in England, after six years' service in chambers advised, and officer should be called to bar, *Oldham* - - - - - - 39,646, 39,649
Executive:
Essential, *Kingsford*, 39,232, 39,392–3, 39,431, 39,460–2; *Rama Ballabh Misra*, 40,240, 40,304, 40,345, 40,353–6; *Mullick*, 42,020–1.
First, and law afterwards preferred, *Kingsford* 39,460–2
not Necessary, *Fakhr-ud-din* - - - 41,428
Prejudicial, *Hasan Imam* - 41,573–4, 41,654–5
Question of, and practice at Bar more important, *Mazharul Haque* - - - - - 40,601–2
Value of, and advocated, *Rainy* 38,386, 38,402, 38,556–63
General course of subjects in probationary period essential, *Oldham* - - - 39,646, 39,649
in High Courts:
Advised if separate recruitment not adopted, *Hasan Imam* - - - - - - 41,543
not Advised, *Kingsford* - - - - 39,247
Partly, and partly on judicial work, *Madhu Sudan Das* - - - - 39,103, 39,211–2
Law:
Special training advised, *Filgate*, 39,318; *Sinha*, 40,980; *Jameson*, 41,221.
Special training not advocated, *Kingsford*, 39,247; *Oldham*, 39,647, 39,649; *Krishna Sahay*, 40,140–1; *Hasan Imam*, 41,514.
Training from beginning necessary, *Fakhr-ud-din* 41,371
in Magisterial, revenue and executive duties and settlement work, advisable, *Oldham* 39,646, 39,913 4, 40,031
Officers selected should pass examination similar to B.L. degree at Calcutta University, *Madhu Sudan Das* - - - - - - - 39,104
Officers not sufficiently versed in civil law, *Kingsford* 39,232
Scheme, *Le Mesurier* - - - - - 37,985
Settlement work, important, *Kingsford* 39,246, 39,248, 39,284, 39,286–8, 39,353, 39,431–5, 39,460–6

Judicial Branch, I.C.S.—*continued.*
TRAINING—*continued.*
Study leave, *see that title above.*
in Subordinate judicial posts:
Advocated, *Kingsford*, 39,248, 39,283–4; *Oldham*, 39,646, 39,648, 39,832–3; *Fakhr-ud-din*, 41,372–3.
not Advised, *Ali Ahmad*, 38,733; *Filgate*, 39,519; *Oldham*, 39,833–4; *Krishna Sahay*, 40,141; *Sinha*, 40,981; *Jameson*, 41,222.
Unconscious bias in decisions in favour of conviction entertained, *Sinha* - - - - - -
Unfavourable opinion of, no longer valid, and considerable competition for appointment in, now, *Kingsford* - - - - - - - - 39,232

Judicial Branch, P.C.S.:
Amalgamation of criminal and civil side under control of High Court advocated, *Fakhr-ud-din* - 41,382
CADRE:
Increase necessary, *Ali Ahmad*, 38,749; *Oldham*, 39,603; *Sinha*, 40,995, 41,048, 41,061, 41,176–8; *Mullick*, 41,772(*g*), 41,857.
Strength of, *Le Mesurier* - - 38,046, 38,055
Confidential reports, no system of, *Ali Ahmad* 38,851, 38,853
Court fees same in munsifs' court and subordinate judges, and regulation of, *Sinha* 41,063–4, 41,069–70
Differentiation of executive and judicial functions, extent of, *Le Mesurier*, 38,004, 38,061; *Oldham*, 39,696; *Ali Ahmad*, 38,754; *Sinha*, 40,996.
Distribution according to race, *Le Mesurier* 38,050
DUTIES:
Increase of, *Ali Ahmad* - - 38,760, 38,872
Officers are overworked, *Oldham*, 39,603, 39,735; *Sinha*, 40,995, 41,061, 41,176–8.
Severity of, *Ali Ahmad* - - - - 38,760
Enrolled candidates, definite duties for, advised, *Oldham* - - - - - - - - - 39,687
Exchange of duties between members of executive branch and, suggestion, *Rainy* 38,417, 38,555–6, 38,651–2, 38,663–9, 38,689–91
Higher posts, pay, &c., and question of promotion, *Kershaw* - - - - - - - - 40,916–21
LEAVE:
Privilege:
not Allowed unless officers detained on duty during annual vacation, 15 days and possibility of accumulating advocated, *Le Mesurier* 38,071
Modification of rules and full pay advocated, *Fakhr-ud-din* - - - 41,387, 41,501–4
Proposals in Government of India letter (Finance Department) suitable, but 15 days' privilege advised to accumulate if desired for three years, *Oldham* - - - - - - - - - 39,709
Reserve not necessary, *Ali Ahmad* - - 38,750
no Reserve, vacancies filled from list of enrolled candidates, *Le Mesurier* - - - - 38,056
Very little taken as annual vacation given, and compulsory furlough every five years advocated, *Mullick* - - - - - - - - 41,776
Munsif need not go through executive branch, and same recruitment for both functions not necessary, *Kingsford* - - - - - - - - 39,468
Names of heavy districts, *Ali Ahmad* - - 38,862
Officiating officers, suitable allowance advised, *Oldham* - - - - - - - - - 39,687
One seat on local bench of High Court advised, *Oldham* - - - - - - - - - 39,714
PAY:
Comparison with executive branch, *Kingsford* 39,257, 39,430–3
Improvement under consideration, *Le Mesurier* 38,066
PROBATION:
Allowance, amount suggested, *Fakhr-ud-din* 41,380
under Government pleader for two years advised, *Kingsford* - - - - - - 39,257
Too long, reduction of term of practice to one year advocated, *Fakhr-ud-din* 41,380, 41,481–2, 41,489–95
Block and levelling up of service to, not of any use, *Oldham* - - - - - - 40,101–3

Judicial Branch, P.C.S.—*continued.*
PROMOTION:
to Judicial Branch, I.C.S., advocated, *Hasan Imam* 41,520, 41,561, 41,576
Method and success, *Ali Ahmad* - - - 38,752
by Selection above rank of munsif. on recommendation of High Court, *Le Mesurier* - 38,059
RECRUITMENT:
Age:
25 advocated and three years' practice might be dispensed with, *Mullick* - - 42,031–3
29 advocated, *Fakhr-ud-din* - - 41,378
Reduction advised, and remarks *re* effect, *Oldham* - - 39,687, 39,858–9, 40,051–64
from Bar advocated, and scheme, *Fakhr-ud-din* 41,378
Class representation, desirable, *Le Mesurier*, 38,045; *Fakhr-ud-din*, 41,378.
Men too old on, and suggestion that requirement of three years' practice at the Bar should be dispensed with, *Le Mesurier* - - 38,045
Present system favoured, but abolition of three years' practice at Bar for munsifs advocated, *Mullick* - - - - - - - 41,772
Rate dependent on number of vacancies, *Le Mesurier* - - - - - - 38,058
Retention of present method advocated, *Mazharul Haque* - - - - - - 40,478, 40,501–3
Rules, *Le Mesurier* - - - - - p. 24–5
Rules out of date and revision under consideration, *Le Mesurier* - - - - - - 38,045
Scheme, *Fakhr-ud-din* - - - - 41,378
Three years' practice for munsifs, retention advised, *Hasan Imam* - - - - - - 41,622–6
SEPARATION FROM EXECUTIVE BRANCH:
Advocated, *Sinha*, 40,996; *Fakhr-ud-din*, 41,382.
no Change desirable, *Filgate*, 39,525; *Le Mesurier*, 38,004.
Criminal branch of executive should be joined with judicial and placed under High Court, *Ali Ahmad* 38,754
Necessary to some extent, and details *re* combination, *Madhu Sudan Das* - 39,112, 39,213–8
Suggested to some extent at headquarters, *Oldham* 39,696
Theoretically approved, but present system suited to country, *Mullick* - - - - 41,772 (*j*)
Temporary assistance given in congested districts, *Oldham* - - - - - - - - 39,960
Touting for appointments damaging to self-respect, *Kingsford* - - - - - - - - 39,257
TRAINING:
Attendance at courts not necessary, and one year sufficient, and three years' practice unnecessary, *Oldham* - - - - - 39,687, 40,051–61
no Departmental examinations *Le Mesurier* 38,053
Practice at bar not of much importance, and question of practical training, *Fakhr-ud-din* 41,482–3, 41,489–95
System considered satisfactory, *Ali Ahmad* 38,746
no System, *Le Mesurier* - - - 38,052
after Taking up appointment, proposal, *Le Mesurier* 38,045
Vacations, *Ali Ahmad* - - - 38,842, 38,857–61

Judicial Service, separate, advocated and details, *Sinha* 40,980, 40,996.

K.

Kanungos, increase in number suggested, *Rama Ballabh Misra* - - - - - 40,405, 40,420

Kershaw, Louis James, C.I.E., I.C.S., evidence of 40,668–944

Kingsford, Douglas Hollinshead, I.C.S., evidence of 39,227–493

Krishna Sahay, evidence of - - - 40,105–234

L.

Land Records, Director (*see* Director of Land Records and Agriculture).

Landlords, feeling of insecurity in consequence of case of Rajendra Narayan Singh, *Krishna Sahay* 40,227–31

Languages (*see under* Syllabus *under* Indian Civil Service Examination, *and also under* Vernaculars).

Law:
Comparison of knowledge of lawyers and civilians, *Rama Ballabh Misra* - - - - 40,388–98
HIGHER STUDY:
Examination with suitable rewards advised, and as condition of appointment as judge, *Kingsford* 39,248
no Special course of study, *Ali Ahmad* 38,731–2, 38,733
no System for encouragement analogous to that for Oriental languages advocated, *Le Mesurier* 37,987
Knowledge of, less important than knowledge of facts, *Kingsford* - - - - - 39,232
Knowledge of fundamental principles important, *Madhu Sudan Das* - 39,086, 39,153–8, 39,170–1
Practical training in India preferred to training in England, *Madhu Sudan Das* 39,211–2, 39,224–5
Preliminary training in India, difficulties, *Le Mesurier*, 37,979, 38,265–8; *Ali Ahmad*, 38,725.
Proficiency, raising of standard of department examination advocated and officers might be attached to High Court, *Hasan Imam* - - - 41,543
Steps to improve knowledge suggested, *Krishna Sahay*, 40,139; *Mazharul Haque*, 40,467; *Mullick*, 41,739.
Study during probation, and examinations during first few years of service advocated, *Sinha* - 40,979
(*see also under* Course of Study *under* Probation *and under* Syllabus *under* Indian Civil Service Examination.)

Lawyers' fees, *Sinha* - - 41,064, 41,069–70

Leave, I.C.S.:
ALLOWANCES:
less Adequate than formerly, *Le Mesurier* - 38,021
Half average salary, amount of furlough taken probably reduced by, but no complaints heard, *Le Mesurier* - - - - - - - 38,073
Higher to people taking furlough out of India, question of reduction, *Kershaw* - 40,823–4
Inadequate, and increase suggested, *Le Mesurier*, 38,023–4; *Oldham*, 39,668, 39,754, 39,756, 40,044–5; *Kershaw*, 40,718, 40,804; *Mullick*, 41,753, 41,756.
Maximum, increase advocated, *Le Mesurier*, 38,026, 38,154; *Rainy*, 38,411; *Oldham*, 40,044–5; *Kershaw*, 40,720.
Maximum and minimum limits suitable, *Oldham*, 39,708; *Mullick*, 41,757.
Privilege rate of exchange:
Abolition advocated, *Sinha* - - - 40,987
no Change advocated, *Le Mesurier*, 38,025; *Oldham*, 39,699; *Kershaw*, 40,719, 40,818–21; *Mullick*, 41,757.
Rate of exchange, *Le Mesurier* - - 38,331–4
(*see also under* Listed Posts.)
Compulsory every year, not approved, *Oldham* 39,800–1
Differentiation for racial considerations not approved, *Krishna Sahay*, 40,156, 40,176–9; *Sinha*, 41,001.
Distinction between European and Indian services, question of, *Rama Ballabh Misra* - - 40,273
Distribution of absentees over service different from formerly, and reasons, *Le Mesurier* - - 37,999
ON FULL PAY (PRIVILEGE):
Amount earned suitable, *Mullick* - - 41,756
Combination with furlough, result of rules allowing, *Le Mesurier* - - - - - - 38,021
during Hot weather, absences on, common, and number absent usually exceed normal proportion, *Le Mesurier* - - - - - 37,999
One month, compulsory, proposal not favoured, *Le Mesurier* - - - - - 38,209–11
Rules give rise to hardship and leave should be allowed to accumulate up to six months, and taken in combination with furlough, *Oldham* 39,672, 39,754
Seldom allowed to lapse, *Le Mesurier* - 38,022
for Short periods in India rarely or never refused to officers, *Le Mesurier* - - - - 38,022

Leave, I.C.S.—*continued.*
ON FULL PAY (PRIVILEGE)—*continued.*
Statistics, 1892, 1896, 1902, 1907, 1911, *Le Mesurier* p. 18
not usually Taken during cold weather, *Le Mesurier* 37,999
Tendency to refuse, and hardship, *Mullick* 41,754
FURLOUGH:
Amount due generally taken and advantage of present allowance, *Mullick* - - - 41,755
After six years' service instead of eight advocated, *Oldham* - - - - - - - - 39,667
Less taken than formerly, *Le Mesurier*, 38,021; *Oldham*, 39,666.
Less taken on the average than actually due, but restriction of amount not advocated, *Rainy* 38,410, 38,474
Local Government should have power *re* length of, &c., *Rainy* - - - - - 38,476
Maximum number who may be absent, furlough usually granted up to, *Le Mesurier* - - 37,999
on Medical Certificate Statistics, 1892, 1896, 1902, 1907, 1911, *Le Mesurier* - - - - - p. 18
Proposal of Government of India to allow, at rate of one-tenth of service at any time up to two years' maximum approved, *Le Mesurier* - 38,078
Statistics, 1892, 1896, 1902, 1907, 1911, *Le Mesurier* - - - - - - - p. 18
Tendency for service officers to take less than formerly, *Le Mesurier* - - - - 38,023
Less taken, *Mullick* - - - - - 41,753
for Listed posts (*see under* Listed Posts).
Number of officers of each class who should have been absent on, at beginning of each quarter, 1912–13, and actual number, *Le Mesurier* 37,999
Opinions expressed in letter of I.C.S. Association, Bengal Branch, adhered to, *Kingsford* 39,252
Opinions of Government of province agreed with in the main, *Kingsford* - - - - - 39,310
Period of probation should count towards, *Mazharul Haque* - - - - - - - - 40,483
on Private affairs, combining of, with privilege leave, practice of, *Le Mesurier* - - - 37,999
Privilege (*see under* Full Pay *above*).
RULES:
not Cause of excessive transfers, *Rainy* - 38,413
Proposals of Government of India approved, *Rainy*, 38,412; *Oldham*, 39,667.
Separate sets not necessary, *Oldham* - - 39,673
should be Simplified by removal of present restrictions, *Le Mesurier*, 38,023, 38,028, 38,154; *Rainy*, 38,412, 38,475; *Kershaw*, 40,722.
(*see also under* Listed Posts.)
Senior officers on, number in cold weather less than formerly, *Le Mesurier* - - - 37,999, 38,021
Six months frequently taken by officers of under 8 years' service, *Le Mesurier* - - 37,999, 38,146–8
SPECIAL, EXTRAORDINARY WITHOUT ALLOWANCES, &C.:
Conditions generally suitable, *Le Mesurier*, 38,027; *Kershaw*, 40,721.
Statistics, 1892, 1896, 1902, 1907, 1911, *Le Mesurier* - - - - - - - - p. 18
Taken at more frequent intervals, *Oldham* - 39,666

Leave, P.C.S.:
ALLOWANCES:
Increase desired, *Ali Ahmad* - - 38,814–5
Increase would follow reorganisation, *Kershaw* 40,748
Maximum and minimum:
Suitable, *Le Mesurier*, 38,074; *Oldham*, 39,707; *Kershaw*, 40,747–8.
not Suitable, *Ali Ahmad* - - - 38,770
Amendments under consideration approved. *Mullick* 41,777
Classing of, under privilege leave, furlough, and leave without pay, suggestion, *Ali Ahmad* - 38,771
Executive Branch (*see that title*).
ON FULL PAY (PRIVILEGE):
not permitted to judicial officers, and not often obtained by executive, and suggestion, *Ali Ahmad* - - - - - - - - 38,767

Leave, P.C.S.—*continued.*
ON FULL PAY (PRIVILEGE)—*continued.*
privilege for One month after 11 months' service, advocated, and accumulation should be allowed, *Ali Ahmad* - - - - - - 38,816–7
FURLOUGH:
full Amount rarely taken, but restriction undesirable, *Le Mesurier* - - 38,070, 38,072
Furlough on full pay, certain amount advised, *Oldham* - - - - - - - 39,707
One month should be allowed for every year of service, *Ali Ahmad* - - - - 38,771
Judicial Branch (*see that title*).
ON MEDICAL CERTIFICATE:
should be Given in special circumstances when neither furlough nor privilege leave due, *Ali Ahmad* - - - - - - - - 38,771
Proposal of Government of India to allow, unconditionally subject to total maximum of 3 years and at one time of 2 years approved, *Le Mesurier* - - - - - - - 38,078
seldom Refused though sometimes postponed, *Le Mesurier* - - - - - - - - - 38,070
RESERVE:
Adequate, *Le Mesurier* - - - - 38,070
Inadequate, *Rama Ballabh Misra* 40,257, 40,413
RULES:
Alterations recommended by Government of India suitable, *Le Mesurier*, 38,078; *Ali Ahmad*, 38,774; *Kershaw*, 40,752.
not Cause of excessive transfers, *Le Mesurier*, 38,077; *Ali Ahmad*, 38,773; *Kershaw*, 40,750–1.
Difference from I.C.S. should not be so great, *Ali Ahmad* - - - - - - 38,774
no Inconvenience caused to administration, *Le Mesurier*, 38,076; *Ali Ahmad*, 38,772; *Kershaw*, 40,750–1.
Special, Extraordinary, &c., alterations recommended by Government of India suitable, *Le Mesurier*, 38,075, 38,078; *Kershaw*, 40,749, 40,752.
never Taken for rest or recreation owing to scale of allowances and restrictions, *Ali Ahmad* 38,766, 38,813–4
(*see also under* Executive Branch, P.C.S.)

Legal profession, strong opinion in favour of separation of judicial and executive functions. *Sinha* 41,129–32

Legal Remembrancer, functions, duties and procedure, *Mullick* - - - - - - 41,912–7, 41,992–2003

Le Mesurier, Havilland, C.S.I., C.I.E., I.C.S., evidence of - - - - - - - - 37,934–38,380

Lieutenant Governor:
Pay on the 1st April 1912, *Le Mesurier* - 38,007
Pension, increase advocated, *Oldham*, 39,676; *Mullick* 41,759.
special Pension advocated, *Le Mesurier*, 38,034; *Kershaw*, 40,727.

Listed Posts:
ABOLITION:
Advocated, but retention in Executive Branch not objected to, *Mazharul Haque* - - 40,512–6
not Advocated, *Rama Ballabh Misra* 40,239, 40,295
Possible in future when larger number of Indian members in I.C.S., *Madhu Sudan Das* - 39,129
or Reduction would have bad effect on judicial service, *Rainy* - - - - - 38,536
All not held by members of P.C.S., *Ali Ahmad* 38,704, 38,707
APPOINTMENT TO:
at Earlier age advocated, *Rainy*, 38,481–5, 38,670–5; *Ali Ahmad*, 38,755, 38,880–5; *Kershaw*, 40,740–1, 40,746, 40,775–9; *Fahkr-ud-din*, 41,420–2.
at Earlier age followed by period of training in England:
Advocated, *Campbell*, 38,921, 38,928–30, 38,961–5; *Mullick*, 41,898–910, 41,930.
not Advocated, *Oldham* - - - 39,947–52
Present system satisfactory, *Jameson* - 41,339–9
by Selection proposed, *Rainy* - - 38,653–4

Listed Posts—*continued.*
Class of posts suitable, *Le Mesurier*, 37,965; *Ali Ahmad*, 38,709; *Campbell*, 38,930; *Filgate*, 39,510, 39,593–5; *Oldham*, 39,626, 40,104; *Rama Ballabh Misra*, 40,248, 40,260; *Kershaw*, 40,688; *Jameson*, 41,213; *Hasan Imam*, 41,530; *Mullick*, 41,721.
Class of posts not suitable, and alterations suggested, *Krishna Sahay*, 40,131; *Fahkr-ud-din*, 41,364.
Difficulty of finding districts which can be placed in charge of members of P.C.S., *Le Mesurier* - 37,961
Existence of, an important attraction to P.C.S., *Rainy* - - - - - - - - 38,418
INCREASE:
Advised, *Ali Ahmad*, 38,755; *Madhu Sudan Das*, 39,147; *Oldham*, 40,104; *Krishna Sahay*, 40,128; *Rama Ballabh Misra*, 40,248, 40,260; *Mazharul Haque* 40,460–1, 40,463, 40,605–8, 40,622–4; *Hasan Imam*, 41,687; *Mullick*, 41,772 (*k*), 41,780.
to One quarter advised, and effect on number of Europeans in I.C.S., *Fahkr-ud-din* 41,357, 41,362, 41,452–62
to One third of I.C.S. cadre advocated, *Mullick* 41,705, 41,785–6, 41,900–2
Probably desirable in future, *Kershaw* 40,675, 40,764, 40,770–80
Question of, *Oldham* - - - 39,844–8
INFERIOR MERGING IN P.C.S.:
Advantages of, to Government, *Oldham* - 39,625
Approved, *Ali Ahmad*, 38,708, 38,756; *Filgate*, 39,509; *Jameson*, 41,212; *Mullick*, 41,720, 41,772 (*l*).
not Approved, *Ali Ahmad*, 38,689; *Krishna Sahay*, 40,130; *Rama Ballabh Misra*, 40,247, 40,333; *Mazharul Haque*, 40,462; *Kershaw*, 40,741, 40,882–4; *Sinha*, 40,970; *Fahkr-ud-din*, 41,363.
Loss of status considered a grievance rather than the loss of pay, *Le Mesurier* - 38,374–7
Prospects of P.C.S. improved by, *Le Mesurier* 37,964
Source of some dissatisfaction and reasons, *Madhu Sudan Das*, 39,095, 39,131–4; *Oldham*, 39,625.
Unpopular with service and public, and reasons, *Le Mesurier* - - - - - - 37,964
LEAVE:
Allowance should be increased to two thirds of pay drawn at time if amount of furlough admissible in 30 years' service not increased, *Ali Ahmad* - - - - - 38,769
Furlough not taken unless necessary for illness or urgent affairs, and reasons, *Ali Ahmad* - 38,768
Rules:
Continuance of present rules advocated, *Kershaw*, 40,723; *Mullick*, 41,758.
Distinction from I.C.S. rules not inequitable, *Le Mesurier* - - - - - 38,027
Equality with I.C.S. advocated, *Sinha*, 40,988, 41,036–9; *Fakhr-ud-din*, 41,377.
no Inconvenience, *Le Mesurier*, 38,027; *Kershaw*, 40,723.
List of members of P.C.S. and Statutory Service, and non-Provincial holding, since 1st April 1912, *Le Mesurier* - - - - - - - 37,962
no Indians other than members of P.C.S. appointed to, *Le Mesurier*, 37,962; *Ali Ahmad*, 38,706.
Names of officers, holding, *Le Mesurier* - 37,961
no Necessity for, in Judicial Branch if proposed scheme adopted, *Mazharul Haque* - 40,460–1, 40,512–6
Number of officers in, *Le Mesurier* - - 38,110
PAY:
60 per cent. of I.C.S. pay suggested, *Kershaw* 40,717, 40,746, 40,777–9, 40,922–5
Equal to I.C.S. advocated, *Madhu Sudan Das*, 39,106, 39,127–8; *Mazharul Haque*, 40,476, 40,512–4; *Fakhr-ud-din*, 41,376, 41,386, 41,423, 41,511–3.
Inadequacy of, *Ali Ahmad* - 38,765, 38,818–24
Judges, less than two-thirds of I.C.S. pay, *Ali Ahmad* - - - - - - - 38,905–8

Listed Posts—*continued.*
PAY—*continued.*
one Time scale advocated, *Kershaw* - 40,746
if Time scale is introduced officer of Statutory and Provincial services should draw two thirds of, and full charge allowances, *Le Mesurier* 38,019
Three quarters of pay of I.C.S. advocated, *Rama Ballabh Misra*, 40,264; *Sinha*, 40,986, 41,000, 41,034–9, 41,184.
Two thirds rule:
Approved, *Filgate*, 39,522; *Oldham*, 39,665, 39,706, 39,835–48, 40,086–91; *Krishna Sahay*, 40,145, 40,155; *Kershaw*, 40,717, 40,746, 40,777–9, 40,922–5; *Jameson*, 41,225, 41,230, 41,324–30; *Hasan Imam*, 41,548, 41,553; *Mullick*, 41,752, 41,775.
not Approved, *Ali Ahmad*, 38,765; *Madhu Sudan Das*, 39,106, 39,127–8.
Generally suitable, but officer promoted to higher appointment should receive same pay as officer of I.C.S., *Le Mesurier* - - 38,019
PENSION:
Rs, 6,000 suggested, *Le Mesurier* - 38,038, 38,365
Rs. 8,000 maximum, certain questions would have to be considered, *Le Mesurier* - - 38,365–7
Extra amount after three years' service in, and increase for meritorious service advocated, *Oldham* - - - - 39,681, 39,712
not Less than Rs. 600 a month advocated, *Rama Ballabh Misra* - - - - - 40,277
Maximum should be Rs. 9,000, *Ali Ahmad* 38,777, 38,825–7
P.C.S. officers confirmed in posts should be allowed extra pension of Rs. 1,000 a year, otherwise scale suitable, *Le Mesurier* - - - 38,080
Two thirds of pensions of I.C.S. advocated, *Hasan Imam* - - - - - - 41,689
Unsuitable, and increase of maximum advocated, *Kershaw* - - - - 40,731, 40,933–6
POWER TO FILL ONE QUARTER WITH INDIANS OTHER THAN MEMBERS OF P.C.S. OR STATUTORY CIVILIANS:
Approved, *Kershaw* - - - 40,891–2
not Approved, *Sinha* - - - - 40,969
not Exercised, *Le Mesurier*, 37,963; *Ali Ahmad*, 38,705–7.
Larger proportion advised, *Madhu Sudan Das* 39,094
Proportion should not be fixed, and efficiency only factor, *Filgate* - - - - 39,508
Selection by Local Government preferred to, or any fixed rule as to proportion, *Jameson* 41,211
Preferred to statutory service, *Kershaw* - 40,891
Promotion to I.C.S. by, main door for Indians if separate examination not introduced, and probably no lack of suitable men, *Rama Ballabh Misra* 40,260
Provision for families on same footing as covenanted officers, advocated, *Mullick* - - - 41,768
Statement in appendix correct, *Le Mesurier*, 37,960; *Mullick*, 41,718.
System approved and retention desirable, *Rainy*, 38,418; *Ali Ahmad*, 38,755; *Madhu Sudan Das*, 39,093, 39,222; *Filgate*, 39,507; *Oldham*, 39,697, 39,733–4; *Krishna Sahay*, 40,128; *Mazharul Haque*, 40,622–4; *Kershaw*, 40,740–1, 40,746, 40,775–9; *Sinha*, 40,968, 40,971, 41,009; *Jameson*, 41,210, 41,331–9; *Fakhr-ud-din*, 41,349, 41,425; *Mullick*, 41,772(*k*).
System not satisfactory, and alterations suggested, *Kingsford* - - - - - - - 39,256
Test by selection advocated, *Kingsford* - - 39,470
(*see also particular posts.*)

M.

Macaulay, Lord, Committee of, principles laid down by, approved, *Le Mesurier*, 37,951, 37,973; *Rainy*, 38,390; *Ali Ahmad*, 38,690, 38,696, 38,719; *Kingsford*, 39,237; *Oldham*, 39,616, 39,634; *Kershaw*, 40,680, 40,694; *Hasan Imam*, 41,525, 41,534; *Mullick*, 41,709, 41,727.

Madhu Sudan Das, evidence of - - 39,081–226

Magistracy, amalgamation with judicial line advocated, *Mazharul Haque* - - - - 40,517, 40,582–5

Magistrates:
Additional, appointment of, tends to deprive district magistrates of objectionable executive powers, *Mullick* - - - - - - - 41,843–5
Amalgamation of posts of, with deputy magistrates and munsifs under new designation, and recruitment from legal profession advocated, *Mazharul Haque* - - - - - - - - 40,447
ASSISTANT:
Investment with powers of munsif, advocated, *Ali Ahmad* - - - - - - - 38,739
Number and rate of pay, *Le Mesurier* - 38,006–7
Rules for training - - - - p. 283–4
Consultation of public prosecutors by, *Rainy* 38,526–30
District, *see* Collectors and District Magistrate.
European preferred by people, *Jameson* 41,312–21
LISTED POSTS:
Designation of "joint magistrate" for officers in charge of criminal work at headquarters would not be objected to, *Le Mesurier* - - 37,964
Dropping of title of "joint magistrate" and using titles of "assistant collector" and "deputy collector" would be advantageous, *Le Mesurier* 38,182
Longer stay in one place intended by Government and importance of, *Campbell* - - - 39,052–3
Number and rates of pay, *Le Mesurier* - - 38,007
Presidency, no difference between Calcutta and Bombay, *Kingsford* - - - - - 39,423
Pay of, dissatisfaction, *Oldham* - 39,657, 39,751–3
Second and Third Class, appeals from, suggestions *re* transfer, *Kingsford*, 39,457; *Oldham*, 39,655, 39,761–4, 39,974–86.
Senior, entrusting of judicial and magisterial powers of district officer to, not advised, *Kingsford* 39,250
Supervision by district judges instead of by district magistrates approved if adequate, *Rainy* 38,548–51
Training rules - - - - - - p. 283–4
Unpopular, after settlement work, *Mazharul Haque* 40,577–8, 40,612–5

Magistrates, Deputy:
Amalgamation of posts of, with magistrates and munsifs under new designation, and recruitment from legal profession advocated, *Mazharul Haque* 40,447, 40,582–5
Better judges than men recruited from bar, *Rama Ballabh Misra* - - - - - - 40,423–4
Decisions not influenced by fact of being subordinate to district magistrate, *Kingsford*, 39,380–7, 39,458–9; *Oldham*, 40,030.
Difficulty in getting suitable house, and Government might help, *Rama Ballabh Misra* 40,427–9
DUTIES OF:
Compared with joint magistrates, *Le Mesurier* 38,347–51
Details, *Kingsford* - - - 39,250, 39,367
Revenue cases dealt with, *Madhu Sudan Das* 39,112, 39,142–3
Try criminal cases, *Kingsford*, 39,232; *Krishna Sahay*, 40,151.
same Educational qualification as for sub-deputy magistrate, *Fakhr-ud-din* - - - - 41,389
Grade, an additional suggested, *Krishna Sahay* 40,154
Number of posts, *Ali Ahmad* - - - 38,759
PAY:
Higher, suggested for men specially appointed to do judicial work, *Madhu Sudan Das* - 39,221

Magistrates, Deputy—*continued.*

PAY—*continued.*

Increase advocated, *Sinha* - - - 41,183–91
Minimum should be increased, *Krishna Sahay* 40,154
Rates of, *Ali Ahmad* - - - - 38,759
Position of district magistrate third grade listed officer worse than that of, *Rama Ballabh Misra* 40,432–5

POWERS:

Executive and criminal exercised by, *Madhu Sudan Das* - - - - - - - - 39,213–8
Number vested with first-class powers, *Ali Ahmad* 38,754

Question of ability and work, and increase of pay advocated, *Sinha* - - - - - 41,183–91

Rules for training - - - - - p. 283–4

Magistrates, District (*see* Collectors and District Magistrates).

Magistrate, Honorary:

Retired Government officers, in many cases, *Le Mesurier* - - - - - - - - 38,201–3
Work done by, and success of, *Le Mesurier* 38,134–7

Magistrate, Joint:

Designation desired by members of P.C.S., *Le Mesurier* - - - - - - - - - 38,118
Gap between first grade of, and lowest of collectors too big, and grade, at Rs. 1,200, suggested, *Oldham* - - - 33,656, 39,752, 39,798–9
Investment with powers of subordinate judge advocated, *Ali Ahmad* - - - - 38,739
Many districts left without, for long periods, and work done by deputy collectors, *Le Mesurier* 38,144, 38,183–4
Number and rates of pay, *Le Mesurier* 37,992, 38,006, 38,007
Training of judicial officers as, advised, *Kingsford* 39,248
Training rules - - - - - - pp. 283–4
Unpopular after settlement work, *Mazharul Haque* 40,577–8, 40,612–5
Work of, and comparison with that of deputy collectors, *Le Mesurier* - - - 38,185–94
Work of receiving complaints entrusted to, *Kingsford* - - - - - - - - - 39,250

Magistrates, Sub-deputy:

same Educational qualification required as for deputy magistrate, *Fakhr-ud-din* - - 41,389
Try criminal cases, *Krishna Sahay* - - 40,151
Unjust treatment of, and inclusion in P.C.S. advocated, *Hasan Imam* - - - 41,580–1

Magistrates, Subordinate:

Independence in decisions, question of, *Krishna Sahay*, 40,233–4; *Mullick*, 41,840–1, 41,921–9.
Nature of work, *Le Mesurier* - - - - 38,004

Medical Department, time scale in force and works well, *Le Mesurier* - - - - - - 38,016

Military Officers:

in Political Department, success of, *Le Mesurier* 37,958–9
some Political appointments should be held by, *Madhu Sudan Das* - - - - 39,165–70

RECRUITMENT FOR I.C.S. POSTS:

not Advocated, *Le Mesurier*, 37,958–9; *Oldham*, 39,624; *Krishna Sahay*, 40,126–7; *Mazharul Haque*, 40,458–9; *Kershaw*, 40,685–6; *Sinha*, 40,966–7, 41,059–60; *Jameson*, 41,209; *Fakhr-ud-din*, 41,361; *Hasan Imam*, 41,529; *Mullick*, 41,716–7.

Military Officers—*continued.*

RECRUITMENT FOR I.C.S. POSTS—*continued.*

Desirable for some appointments, and some political ones, *Madhu Sudan Das* - - 39,091
Successful administration by, *Oldham* - - 39,623

Misra, Pandit R. B., evidence of - - 40,235–436

Moslem League of Muzaffarpur, views of, *re* recruitment for I.C.S., *Fakhr-ud-din* - - 41,395–419

Muhammadans:

Advance in education, and competition more advantageous to, than nomination, *Mazharul Haque* 40,444, 40,488–94, 40,520–34, 40,551–74, 40,598
Ahead of creed and make better officers than high caste Hindus, *Campbell* - - - - 38,983
Change in opinions, *Mazharul Haque* - 40,619–20
in favour of simultaneous examinations, *Sinha* 40,950, 40,952, 41,081

IN PROVINCIAL CIVIL SERVICE:

not Appointed to, and consequent dissatisfaction, *Ali Ahmad* - - - - - - 38,798
Numbers in Judicial Branch of, *Le Mesurier* 38,050
Representation of, question of, and suggestions, *Oldham*, 40,065–85; *Fakhr-ud-din*, 41,341, 41,395–419.
Simultaneous examinations no drawback to, *Hasan Imam* - - - - - - - - 41,567–8

Mullick, Basanta Kumar, I.C.S., evidence of 41,693–81

Munsifs:

Amalgamation of magistrates and deputy magistrates with, under new designation, and recruitment from legal profession advocated, *Mazharul Haque* - - - - - - - - 40,447
Designation, change to "Assistant Subordinate Judge" suggested, *Ali Ahmad* - - - 38,748
Difficulty in getting suitable house and Government might help, *Rama Ballabh Misra* - 40,427–9

DUTIES:

Convictions and appeals, statistics and conclusions drawn, *Kingsford* - - - 39,250, 39,267
Judicial duties may be entrusted to, under control of collector and district magistrate, *Madhu Sudan Das* - - - - - - - 39,112
Removal of cases of over Rs. 1,000 to subordinate judges from, proposed, and reasons, *Sinha* 40,995, 41,061–2, 41,068
Summary disposal of petty cases by, and entrusting of administration of civil and criminal justice to, would not be objected to, *Rainy* 38,554
Try Civil suits, *Krishna Sahay* - - - 40,151
Equal if not superior to district judges *re* decisions based on law, and good also in decisions on fact, *Hasan Imam* - - - - - - 41,690–2
no Fault with work of, *Campbell* - - - 39,070

GRADING:

Additional grade suggested, *Sinha* - - 40,990
Alteration of, suggested, *Ali Ahmad*, 38,760; *Mullick*, 41,772(*g*).
Regrading desirable, *Oldham* - - - 39,813
Indian, decisions on fact and law satisfactory, and comparison with Europeans, *Sinha* - 41,173–5

NUMBER OF:

Increase needed, *Kingsford*, 39,480–1; *Rama Ballabh Misra*, 41,381; *Fakhr-ud-din*, 41,433–5; *Mullick*, 41,772(*g*), 41,857.
Present number, *Ali Ahmad* - - - 38,759

PAY:

Minimum, increase suggested, *Le Mesurier*, 38,066; *Krishna Sahay*, 40,154; *Mullick*, 41,772 (*o*).
Present rates, *Ali Ahmad* - - - 38,759
Suggested rates, *Ali Ahmad* - - - 38,760
Probationary, should be attached to office of District Judge, and draw some officiating pay. *Fakhr-ud-din* - - - - - - 41,380

Munsifs—*continued.*
POWERS OF:
Few exercise criminal powers in Chota Nagpur, *Le Mesurier* - - - - - - 38,061
have Magisterial powers in some backward outlying districts, *Oldham* - - - - 39,696
Some have small cause powers, *Sinha* - 41,065
RECRUITMENT OF:
Selection from men of three years' standing, minimum, *Le Mesurier* - - - 38,317–9
Three years' practice at the Bar, abolition advocated, *Mullick* - - - - - 41,772
Subscribers to General Provident Fund, Number of, *Le Mesurier* - - - - - - 38,082
no Substantive appointment made since April 1st, 1912, *Le Mesurier* - - - - - 38,047
TRAINING OF:
Employment as deputy collectors for a year or two suggested, *Rainy* - - 38,417, 38,489–91, 38,555–6, 38,651–2, 38,663–9
Men with settlement training make better judges, *Kingsford* - - - - - - 39,353
Suggestions, *Kingsford* - - - 39,468
Training of judicial officers by working as, advised, *Madhu Sudan Das*, 39,103; *Kingsford*, 39,248.
Unprofessional English civilian judges superior to, and remarks *re*, *Kingsford* - - 39,232, 39,354–9, 39,363–8, 39,427–30

N.

Natives of India (*see* Indians).

O.

Oldham, Charles E. A. W., I.C.S., evidence of 39,597–40,104

Open Competition in England (*see* Indian Civil Service Examination).

Oriental Languages (*see under* Syllabus *under* Indian Civil Service Examination, *and also under* Vernaculars).

Orissa, conditions, *Le Mesurier*, 38,088; *Madhu Sudan Das*, 39,119, 39,201–2.

Overwork (*see* Insufficiency of Staff).

P.

Pay, I.C.S.:
ACTING ALLOWANCES:
Full pay of post for officiating appointment suggested, *Mullick* - - 41,745, 41,748
no Inconvenience caused by rules, but fairer if officers holding charge of posts involving increased responsibility were allowed full pay or charge allowance, *Le Mesurier* - - 38,013
Rules work rather unequally, but nothing better possible if graded system retained, *Kershaw* 40,711
System accepted, *Oldham* - - - - 39,662
Advances, drawn by assistant collectors, *Kershaw* 40,941–4
EXCHANGE COMPENSATION ALLOWANCE:
Abolition:
Advocated, *Le Mesurier*, 38,011–2; *Oldham*, 39,059; *Madhu Sudan Das*, 39,105; *Mazharul Haque*, 40,474; *Kershaw*, 40,709–10; *Sinha*, 40,984–5; *Syed Hasan Imam*, 41,546; *Mullick*, 41,747.
or Extension to all present members advocated. *Krishna Sahay*, 40,144; *Sinha*, 40,984–5.
if Abolished, pay should be increased, and no distinction made between Indian and European members, *Le Mesurier*, 38,011–2; *Rainy*, 38,404–5; *Kershaw*, 40,709–10, 40,924; *Sinha*, 40,985; *Hasan Imam*, 41,546.
a Partial remedy only, *Le Mesurier* - - 38,008
Refusal to Indians a hardship, and compensation for loss in past years suggested, *Mullick* 41,747
Fall in exchange and rise in cost of living since existing rates fixed, *Oldham* - - - 39,597

Pay, I.C.S.—*continued.*
First-class passage to India on appointment, advocated for young civilians, *Le Mesurier*, 37,971; *Oldham*, 39,632; *Kershaw*, 40,692.
Higher grades, removal of inequalities in two branches advocated, *Mullick* - - 42,036–9
INCREASE:
Advocated, *Le Mesurier*, 38,008–9; *Rainy*, 38,403; *Filgate*, 39,557; *Rama Ballabh Misra*, 40,308; *Kershaw*, 40,706–7, 40,710, 40,718, 40,804–5, 40,814, 40,824, 40,940–4; *Hasan Imam*, 41,552, 41,582; *Mullick*, 41,770, 42,039–42.
to All members alike advocated, *Oldham*, 39,660; *Hasan Imam*, 41,547.
Minimum of not less than Rs. 500 a month, suggested, *Jameson* - - - 41,193, 41,198
Opinions expressed by I.C.S. Association, Bengal Branch, in letter to Commission adhered to, *Kingsford* - - - - - - - 39,251
Proposals of Government of province agreed with, broadly speaking, *Kingsford* - - - 39,310
Rate of exchange, privileged, question of abolition, *Kershaw* - - - - - - - 40,818–36
Rates of, and number of posts in each main grade, 1st April 1912, *Le Mesurier* - - 38,006–7
Readjustment of grades required to prevent block, *Oldham* - - - - - - - - 39,703
Retrenchment, difficulties on account of, *Oldham* 39,750
Revision of salaries desirable, *Mullick* - - 41,746
TIME-SCALE:
Advocated, and reasons and schemes, *Rainy*, 38,403, 38,407–8, 38,471–3, 38,591–2, 38,619–21, 38,655–62; *Ali Ahmad*, 38,808–12; *Kershaw*, 40,706, 40,712, 40,715–7, 40,785–96, 40,804–5, 40,812–7, 40,854–5, 40,905–7.
not Advocated, *Mullick* - - - - 41,939
not Advocated, and reasons, but difficulties might be overcome, *Oldham* 39,663–4, 39,741, 39,743–9, 40,032–5
Desirable to certain extent, and advantages, *Le Mesurier* - - - - - 38,008, 38,015
Fixed allowance to officers on, holding certain posts, *Kershaw* - - - - - 40,712
Minimum of Rs. 425 suggested, *Kershaw* - 40,712
Objections to, but modified system of might be useful, *Mullick* - 41,746, 41,749, 41,846–53
Officers of Statutory and Provincial Services in listed posts should draw two-thirds pay of civilians and full charge allowances, *Le Mesurier* 38,019
Principles, *Le Mesurier*, 38,015; *Rainy*, 38,409.
Promotion of members of I.C.S. to posts of independent responsibility within reasonable time would not be prevented, *Le Mesurier*, 38,018 *Kershaw*, 40,716.
Separate scales for different appointments not necessary. *Rainy*, 38,408, 38,472, 38,619–21; *Mullick*, 41,750.
Works well in various departments, *Le Mesurier* 38,016
Travelling allowances on transfer, proposals of Government of India for increasing, approved, *Le Mesurier* - - - - 38,043, 38,157–9
Uniformity for similar work advised, as far as practicable, *Le Mesurier*, 38,010; *Oldham*, 39,658; *Kershaw*, 40,708, 40,871–3.

Pay, P.C.S.:
Addition of higher grade, or introduction of time-scale advocated, *Kershaw* 40,744, 40,893–7, 40,915–21
ADJUSTMENT:
Principle suitable, *Madhu Sudan Das*, 39,114, 39,194–5; *Oldham*, 39,700; *Krishna Sahay*, 40,153; *Mazharul Haque*, 40,482; *Kershaw*, 40,742; *Sinha*, 40,998; *Mullick*, 41,772(*n*).
should Vary according to province, *Fakhr-ud-din* 41,384, 41,477–80
Equal to members of Police Service rising to superintendents advocated, *Hasan Imam* - 41,688
Higher grades, removal of inequalities in two branches advocated, *Mullick* - - 42,036–9

Pay, P.C.S.—*continued.*
Local allowances should continue, *Le Mesurier* 38,069
Officers holding charge of subdivisions, including Sadar subdivision, should receive charge allowance and free quarters, *Le Mesurier* - - - 38,069

RATES OF PAY AND GRADING:
Alteration of initial pay, and addition of grade suggested, *Sinha* - - - 49,999, 41,051
not Satisfactory, and improvements advocated, *Ali Ahmad*, 38,760, 38,775; *Mazharul Haque*, 40,483; *Kershaw*, 40,675, 40,743–4, 40,764, 40,809, 40,893–7, 40,911; *Fakhr-ud-din*, 41,381, 41,436–7; *Mullick*, 41,772, 41,857, 42,035–42.
same Scale for judicial branch and executive branch advocated, *Fakhr-ud-din* - 41,508–9
Rates of, and number of posts, *Le Mesurier*, 38,065; *Ali Ahmad*, 38,759.

TIME-SCALE:
Advocated, and schemes, *Le Mesurier*, 38,069; *Ali Ahmad*, 38,753, 38,764, 38,762–4; *Rama Ballabh Misra*, 40,309–11; *Kershaw*, 40,744–6, 40,893–7, 40,904–7, 40,912–21; *Sinha*, 41,179–81; *Fakhr-ud-din*, 41,381, 41,385.
Advocated, if recruitment by open competition adopted, *Sinha* - - 40,999, 41,179–81
not Advocated and would produce inefficiency, *Mullick* - - - - - 41,773–4
Efficiency bar would be desirable, *Rainy* 33,655–62
would be Favoured if objection that grade promotions frequently withheld were removed, *Rainy* 38,486–8
Objection to, *Rainy*, 38,419; *Rama Ballabh Misra*, 40,309–11.
no Objection to, *Oldham* - - 39,703, 39,738
Partial introduction recommended, *Le Mesurier* 38,068–9, 38,368–70
Separate for each class not advised, *Oldham*, 39,704; *Mullick*, 41,774.

TRAVELLING ALLOWANCE:
1st class, advocated, *Ali Ahmad* - - 38,780
Insufficient, and increase advocated, *Fakhr-ud-din* 41,390
Transfer allowances advocated, *Ali Ahmad* - 38,780
(*see also under* Executive Branch, P.C.S., *and* Judicial Branch, P.C.S.)

Pay, Subordinate Service, no immediate change advised; but gradual absorption of service in P.C.S. advised, *Oldham* - - - - - - - 39,759–60

Pensions, I.C.S.:
1,000*l.* importance of, but if shown actuarially that reduction would be favourable in certain circumstances would be considered, *Rainy* - 38,479–80

DEDUCTION OF 4 PER CENT. FROM PAY:
Abolition of, advocated, *Le Mesurier*, 38,031; *Kingsford*, 39,255.
Allocation of, to Provident Fund, without reduction of pension, would be approved, *Rainy* 38,477–8
Amount contributed by officer, *Le Mesurier*, 38,031; *Kershaw*, 40,797–800.
Amount of civilians' contributions should be made known, *Rainy*, 38,478; *Oldham*, 39,676.
should Cease after 25 years' service, *Filgate* 32,523, 39,526, 39,588
if Retained, actuarial examination should be made to ascertain portion contributed by Government and officers, and former raised if necessary, *Le Mesurier*, 38,032; *Kershaw*, 40,726, 40,844–5, 40,856–8.

EQUAL ANNUITY SYSTEM:
Approved, but increase of amount advocated, *Rainy* 38,414
not altogether Satisfactory, *Oldham* - - 39,674
generally Satisfactory subject to certain suggestions, *Le Mesurier*, 38,030; *Mullick*, 41,759.
Importance of, and attraction of, *Oldham* 39,756–8
Inadequate, and increase advised, and compare unfavourably with other services and posts, *Oldham* - - - - - - 39,676, 39,754
Invalid, increase suggested, *Mullick* - - 41,763

Pensions, I.C.S.—*continued.*
NON-CONTRIBUTORY:
of 1,000*l.* a year advocated, *Le Mesurier*, 38,031, 38,155–6, 38,235–6; *Kingsford*, 39,255; *Mullick*, 41,760.
Advocated if present maximum retained, and admission of members to General Provident Fund, *Le Mesurier*, 38,031; *Kershaw*, 40,725, 40,801–4, 40,836.
not Approved, contributions if abolished would be spent, not saved, *Rainy* - - - 38,415
Varying according to salary, not advocated, *Oldham*, 39,675; *Mullick*, 41,760.
Opinions of Government of province agreed with in the main, *Kingsford* - - - - - 39,310
Privilege rate of exchange, question of, *Kershaw* 40,825–36

REDUCED, FOR INEFFICIENT OFFICERS ADVOCATED:
Scale should be same as for officers retiring on account of ill-health, *Le Mesurier*, 38,035; *Oldham*, 39,679; *Mullick*, 41,761; *Kershaw*, 40,728.
Three-quarter amount of invalid pension suggested, *Rainy* - - - - - - - - 38,416
Rules, opinion expressed in letter by I.C.S. Association, Bengal Branch, expresses views *re*, *Kingsford* 39,254

SPECIAL:
Best officers should be encouraged to stay on after completion of 25 years by grant of, *Oldham* 39,676, 39,680, 39,970
Objections, but exception in favour of Lieutenant-Governor advocated, *Kershaw* - - 40,727

Pensions, P.C.S.:
for 20 years' service advocated, and enforced contributions to family pension, *Fakhr-ud-din* 41,388, 41,468–72, 41,505–7
only after 25 years' service advocated, *Mullick* 42,027–34
Income tax should not be charged on, *Ali Ahmad* 38,775
Maximum, increase to Rs. 7,200 per annum advocated, *Ali Ahmad* - - - - - 38,775
Superannuation system satisfactory in principle, *Rama Ballabh Misra* - - - - - 40,274
Period of probation should count towards, *Mazharul Haque* - - - - - - - - 40,483

REDUCED FOR INEFFICIENT OFFICERS:
Advocated, *Rama Ballabh Misra*, 40,276; *Kershaw*, 40,754; *Mullick*, 41,779.
Approved, minimum period of pensionable service to be 5 years, *Ali Ahmad* - - - 38,776
and at Same rate as retirement for medical certificate, *Mullick* - - - - - - 41,779
Two-thirds scale for medical certificate advised, *Kershaw* - - - - - 40,754
Superannuation, maximum should be raised, *Madhu Sudan Das* - - - - - - - 39,116
System of Provident Fund on lines in force in East Indian Railway Company's service suggested, *Oldham* - - - - - 39,710, 40,047–50
System suitable, *Le Mesurier*, 38,079; *Kershaw*, 40,753; *Mullick*, 41,778, 42,027–34.

Persian language and literature, more useful to Indian civilian than Arabic, *Oldham* - - - 39,617

Planters:
Districts, population primitive, and European officers preferred, *Jameson* - - - - - 41,236–8
Employment of labour by, *Filgate* - 39,566–7
Large proportion of land occupied by, *Filgate* 39,533, 39,564–6
Law-abiding, and would probably respect authority of Indian officials, *Filgate* - - - - 39,580

Pleaders:
as Candidates for district judges not advocated, as inferior to vakil of High Court, *Hasan Imam* 41,680–4
Government, necessity for consulting, *Rama Ballabh Misra* - - - - - - - - 40,383–6

Pleaders—*continued.*
Question of use of, *Rama Ballabh Misra* 40,376–98
Recruitment from (*see under* Recruitment from the Bar *under* Judicial Branch).
(*see also* Public Prosecutor.)

Police:
Commissioner of: powers held by magistrate in mufassal held by, in Presidency towns and comparison of position, *Kingsford* - - 39,424–6
Corruptness of, and question of supervision by head of district, *Mazharul Haque* - - 40,663–7
no Distinction known of between classes differently recruited, *Rainy* - - - - - 38,622–3
INSPECTOR GENERAL:
Fixed rates for, approved if time-scale adopted, *Kershaw* - - - - - - - 40,712
Scale of pay, 1st April 1912, *Le Mesurier* - 38,007
SUPERINTENDENT:
Tendency to assume police authority instead of district magistrate, *Mullick* - - 41,844–5
Tendency to leave investigation of crime to, *Kingsford* - - - - - - - 39,250
Work compared with deputy magistrate's, *Sinha* 41,187–8
Tendency of district officer to interfere less with, work of, *Kingsford* - - - 39,250, 39,304–7

Political Department, time-scale in force and works well, *Le Mesurier* - - - - - - - 38,016

Postal life insurance system, extension suggested, *Ali Ahmad* - - - - - - - 38,779, 38,828–9

Privilege leave (*see* Leave on Full pay).

Probation, I.C.S.:
Approved, *Madhu Sudan Das*, 39,096; *Filgate*, 39,511; *Krishna Sahay*, 40,132; *Rama Ballabh Misra*, 40,249; *Mazharul Haque*, 40,464; *Sinha*, 40,972; *Fakhr-ud-din*, 41,365; *Mullick*, 41,722.
ALLOWANCES:
150*l.* per annum suggested, with first-class passage to India, *Oldham*, 39,632; *Kershaw*, 40,692.
200*l.* per annum advocated, *Le Mesurier*, 37,971; *Kingsford*, 39,243, 39,327–30.
Advocated, *Ali Ahmad*, 38,716; *Filgate*, 39,495.
at Present rate advocated, *Hasan Imam*, 41,533; *Mullick*, 41,725.
COURSE OF STUDY:
for 1912, removal of optional subjects except Hindu and Muhammadan law, advocated, *Mullick* 41,728
Accounts:
Advocated, *Ali Ahmad*, 38,721; *Hasan Imam*, 41,535.
not Advocated, *Le Mesurier*, 37,975; *Rainy*, 38,394; *Oldham*, 39,636; *Kershaw*, 40,696; *Mullick*, 41,729.
Defects, *Rainy* - - - - - 38,394
Differentiation between Natives of India and other natural born subjects not necessary, *Le Mesurier*, 37,981, 38,428; *Ali Ahmad*, 38,726; *Oldham*, 39,641; *Mazharul Haque*, 40,466; *Kershaw*, 40,700; *Jameson*, 41,215; *Hasan Imam*, 41,539; *Mullick*, 41,734.
Handwriting, candidates who do not attain required standard should be required to pass in typewriting, *Rainy* - - - - 38,401
History:
Biographies and writings of men such as Munro, Malcolm, Elphinstone, Metcalfe, &c., study of, advised, *Oldham* - - - - 39,635
History advocated, *Rainy*, 38,394; *Oldham*, 39,635; *Krishna Sahay*, 40,133; *Mazharul Haque*, 40,465, 40,499–500; *Sinha*, 40,973–4; *Fakhr-ud-din*, 41,366; *Mullick*, 41,729.
Indian customs, religion, &c., special attention advised, *Oldham*, 39,635, 39,874–7; *Krishna Sahay*, 40,139; *Mazharul Haque*, 40,406, 40,499–500; *Fakhr-ud-din*, 41,366.
Indian geography, desirable, under conditions, *Le Mesurier*, 37,975; *Rainy*, 38,394; *Oldham*, 39,636; *Kershaw*, 40,696; *Hasan Imam*, 41,535; *Mullick*, 41,729.

Probation, I.C.S.—*continued.*
COURSE OF STUDY—*continued.*
Indians should be required to pass in vernacular other than their own, *Le Mesurier* - - 37,981
Languages:
Classical:
Grounding in one or two Indian languages desirable, *Le Mesurier*, 37,967, 37,975; *Rainy*, 38,394; *Oldham* 39,636; *Kershaw*, 40,696; *Fakhr-ud-din*, 41,366; *Hasan Imam*, 41,535; *Mullick*, 41,729.
Pali, reasons for advocating inclusion of, *Mazharul Haque* - - - 40,542–50
Provision should be made for teaching Arabic, Sanscrit, and Persian, *Le Mesurier* 38,242–5
Specialisation:
not Advocated, *Kingsford* - 39,233, 39,444–8
should be Arranged for, and suggestions, *Rainy* - - - - 38,394, 38,451–6
Vernaculars:
Principal, of province, advocated, *Krishna Sahay* - - - - - - - 40,133
Standard of literary knowledge required should be higher than at present, *Rainy* 38,394. 38,455
Vernacular literature advised, *Madhu Sudan Das* - - - - - - - - 39,097
Law:
Attendance at Law Courts and reporting of cases advised, *Le Mesurier*, 37,967, 37,975, 37,985, 38,301–4, *Rainy*, 38,394, 38,575; *Ali Ahmad*, 38,717; *Kingsford*, 39,246; *Oldham*, 39,636, 39,878; *Rama Ballabh Misra*, 40,242; *Kershaw*, 40,696; *Fakhr-ud-din*, 41,360; *Hasan Imam*, 41,535; *Mullick*, 41,729.
in Barrister's Chambers advised, if one year given, *Mullick* - - - - - 41,739
Candidates should be encouraged to read for the Bar, Government should pay entrance and calling fees, *Le Mesurier*, 37,974, 37,985; *Kingsford*, 39,243, 39,444.
Civil law, extent laid down by Indian Evidence Act, *Kingsford* - - - - - 39,232
Civil Procedure Code advocated, *Ali Ahmad* 38,717, 38,720–1
Contract Act advocated, *Ali Ahmad* - 38,720
Degree in law advised, and calling to Bar, *Mullick* - - - - - 41,706, 41,739
Hindu and Muhammadan law advocated, *Ali Ahmad*, 38,720; *Oldham*, 39,636; *Fakhr-ud-din*, 41,366.
Indian law:
Essential and details, *Le Mesurier*, 37,975; *Kershaw*, 40,696; *Sinha*, 40,973–4; *Fakhr-ud-din*, 41,366; *Hasan Imam*, 41,535.
Specialisation not advised, *Kingsford* 39,233, 39,444–8
Indian Penal Code and Evidence Act should be compulsory, *Rainy* - - - - - 38,394
Jurisprudence:
English common law advised, *Oldham* 39,879–81
Training in principles of law and jurisprudence desirable, *Le Mesurier* - - - 37,967
Revenue and tenancy law, general principles of, desirable, *Le Mesurier* - - 37,974
Lord Macaulay's Committee, principles laid down by, approved, *Le Mesurier*, 37,973; *Ali Ahmad*, 38,719; *Oldham*, 39,634; *Kershaw*, 40,694; *Hasan Imam*, 41,534.
Political economy, desirable, *Le Mesurier*, 37,975; *Rainy*, 38,394; *Ali Ahmad*, 39,636; *Hasan Imam*, 41,535; *Mullick*, 41,729.
Reduction of syllabus if only one year's probation allowed, and concentration on vernacular and law necessary, *Kershaw* - - - - 40,868
Similar to that prior to 1891 advocated, *Le Mesurier* 37,968, 37,974, 37,985
Suitable, but law course might be enlarged, *Kershaw* - - - - 40,695 6, 40,868
Three years' course leading to degree in Oriental studies suggested, *Oldham* - - - 39,631

Probation, I.C.S.—*continued.*
COURSE OF STUDY—*continued.*
full University course with honours degree, and specialisation not advised in Indian subjects, *Kingsford* - - 39,233, 39,327–30, 39,441–5
Wider course necessary if period increased to three years, *Oldham* - - - - - 39,635
special Course should not take place till about age of 23, *Rainy* - - - - - - - 38,596–8
DIFFERENTIATION FOR PERSONS OF MIXED AND UNMIXED DESCENT:
Advised, period should be spent in England by Indians and in India by Europeans, *Madhu Sudan Das* - - - - - - 39,098
Domiciled Europeans should be treated as English, and particular cases of mixed descent treated separately, *Sinha* - - - 40,983, 41,111–7
Non-Natives of India should spend extra year of probation in India, *Mazharul Haque* - 40,467
Not necessary, *Ali Ahmad*, 38,736; *Filgate*, 39,521; *Oldham*, 39,651; *Krishna Sahay*, 40,143; *Mazharul Haque*, 40,473; *Jameson*, 41,224; *Fakhr-ud-din*, 41,375; *Hasan Imam*, 41,545.
IN ENGLAND:
Advocated, *Le Mesurier*, 37,976; *Rainy*, 38,395; *Ali Ahmad*, 38,722; *Oldham*, 39,628, 39,637; *Mazharul Haque*, 40,467; *Kershaw*, 40,689, 40,697; *Hasan Imam*, 41,532, 41,536, 41,597–8; *Mullick*, 41,730.
at Approved University:
Advised, *Le Mesurier*, 37,969–70, 37,980; *Kingsford*, 39,242; *Oldham*, 39,630–1; *Mazharul Haque*, 40,465; *Kershaw*, 40,691.
not Desirable, *Ali Ahmad* - - 38,715
Oxford or Cambridge advised, and reasons, *Oldham* - - - 39,883–4, 40,010–6
Oxford and Cambridge as best places for, doubted, London, Dublin, or Edinburgh might be better, *Rainy* - - - - - 38,393
should be Residential unless candidate previously completed full period of study for degree at, *Le Mesurier*, 37,970; *Rainy*, 38,583–5.
at Residential University advocated for Indians recruited in India, *Le Mesurier* - - 37,980
and not Scotch or Irish, and only if age reduced, *Mullick* - - - 41,724, 41,936–7
in Barrister's chambers, if age as at present, *Mullick* - - - - - - - - 41,724
for Indians passing examination in India advocated, *Sinha* - - - - - 40,973
Indian students should be under control of India Office, *Ali Ahmad* - - - - - 38,718
Necessary for Indians, and as early as possible, *Campbell* 38,918–9, 38,922, 38,928–9, 38,951–4, 38,961–5, 39,007–12
not Necessary to run Indian district, *Rama Ballabh Misra* - - - - - - - 40,297–301
Separate institution, establishment would be objected to, *Le Mesurier*, 37,972, 38,119–21; *Ali Ahmad*, 38,718; *Oldham*, 39,633; *Kershaw*, 40,963; *Mullick*, 31,726.
in England for Indians, and in India for English, under simultaneous examination advocated, *Fakhr-ud-din* - - - - - - - 41,366
in England should be optional for candidates passing in riding, with existing age limits, *Rainy* - 38,392
IN INDIA:
Advocated, *Filgate* - - - 39,513, 38,582–7
Arrangement of courses by provincial governments:
Desirable, *Madhu Sudan Das* - - - 39,100
Objected to, *Rainy*, 38,397; *Ali Ahmad*, 38,724; *Filgate*, 39,515; *Krishna Sahay*, 40,136; *Mazharul Haque*, 40,469; *Kershaw*, 40,699; *Jameson*, 41,218; *Mullick*, 41,732; *Fakhr-ud-din*, 41,368.
Question of, *Oldham* - - - - 39,638
for Candidates passing examination in London advocated, *Sinha* - - - 40,973, 41,030–3
special College:
not Approved, *Rainy*, 38,396; *Ali Ahmad*, 38,723; *Krishna Sahay*, 40,135; *Mazharul Haque*, 40,468; *Kershaw*, 40,698; *Sinha*, 40,975; *Fakhr-ud-din*, 41,367; *Mullick*, 41,731.
Desirable, and details, *Madhu Sudan Das*, 39,099, 39,159–60, 39,188; *Filgate*, 39,495, 39,514, 39,543–8; *Jameson*, 41,193, 41,198, 41,214, 41,217, 41,247–55, 41,252–6, 41,261–9.
no Objections to, but no necessity for, *Syed Hasan Imam* - - - - - 41,537
Question of obtaining teachers, *Madhu Sudan Das* - - - - - - - 39,186–7
Training under collector compared with training at, *Madhu Sudan Das* - - - - 39,210
Typical Indians on instructive staff advised, *Madhu Sudan Das* - - - - 39,160
of Indians, begun too late, *Campbell* - - 38,958
not Necessary in ordinary circumstances, *Campbell* 38,931
Officers appointed by direct nomination in India should pass two years at approved University in England, and undergo same course of training as others, *Le Mesurier* - - - - 37,968
for Officers recruited in India, same system and facilities for spending year in England advocated, *Rama Ballabh Misra* - - - 40,251, 40,297
PERIOD:
1 year advocated, *Ali Ahmad*, 38,714; *Kershaw*, 40,677, 40,690.
1 year and optional 2nd year, if age limits reduced, *Rainy* - - - - - 38,392, 38,497–503
1 year at present, but 3 if age limit reduced to 17–19, *Mullick* - - 41,706, 41,723, 41,728
1 year in England, and 1 in India advocated, *Rama Ballabh Misra* - - - - 40,242
2 years advocated, *Le Mesurier*, 37,946, 37,967, 37,968; *Mahdu Sudan Das*, 39,097; *Oldham*, 39,612; *Krishna Sahay*, 40,133; *Mazharul Haque*, 40,465; *Kershaw*, 40,867–9; *Sinha*, 40,973; *Fakhr-ud-din*, 41,366; *Hasan Imam*, 41,589–91.
3 years if age limit reduced to 17–19, *Kingsford*, 39,241; *Oldham*, 39,628–9, 39,873; *Mullick*, 41,706, 41,728.
4 years advised, *Filgate* - - - - 39,512
Qualifying examination before signing covenant, advised, *Filgate* - - - - - - 39,495
Present system of little advantage and continuance not advocated, *Kingsford* - - - - 39,240
School of Indian Studies, question of, *Le Mesurier* 38,245–7
AFTER SIMULTANEOUS EXAMINATION:
at British university, preferably Oxford or Cambridge advocated, *Sinha* - - 40,946, 40,973
4 years in England advocated if examination passed in India, *Hasan Imam* 41,585–8, 41,592
in England or India according to place of examination advocated, *Sinha* - 41,030–1, 41,116–7

Probation, P.C.S.:
Allowance too small, *Mazharul Haque*, 40,483; *Fakhr-ud-din*, 41,380.
Existing arrangements satisfactory, *Ali Ahmad*, 38,706; *Oldham*, 39,691; *Krishna Sahay*, 40,150; *Mazharul Haque*, 40,480; *Sinha*, 40,994; *Mullick*, 41,772 (*d*).
Judicial Branch (*see under* Judicial Branch, P.C.S.).

Promotion, I.C.S.:
Board advocated, and details, *Mullick* - 41,743, 41,830–6, 42,009
Block, *Rama Ballabh Misra* - - - - 40,307
no serious Blocks, *Le Mesurier* - - - 38,143
Direct from P.C.S. to I.C.S. not advocated, *Mahdu Sudan Das* - - - - - - - 39,130
Notifications of promotions and reversions. 5th December 1912 and 27th February 1913, *Le Mesurier* p. 291–7

Promotion, I.C.S.—*continued.*
OFFICIATING GRADE:
Retention desirable, unless time-scale introduced, *Le Mesurier* - - - - - - 38,014
Working of system, *Le Mesurier*, 38,014, 38,151–3; *Rainy*, 38,406; *Oldham*, 39,750.
Proposals in report of Government of Bengal in connection with report of Royal Commission on Decentralisation, favoured, *Le Mesurier* - 38,003
to Responsible posts in reasonable time, time-scale would not prevent, *Kershaw* - - - 40,716
by Selection, not more than at present advocated, *Kershaw* - - - - - - - 40,789
Statement of officers failing to obtain, to "superior" posts, *Le Mesurier* - - - - - 37,991
to Superior posts, grievances on account of officers not rising to, time-scale recommended, *Kershaw* 40,854–5
Time scale (*see under* Pay).
Uneven flow of, *Rainy* - - - - - 38,407
Views of local officers should be consulted *re* promotion from grades below, *Oldham* - 39,654

Promotion, P.C.S.:
Block, grades ill-arranged, and regrading advised, *Oldham*, 38,736–8, 39,693, 39,811–3, 39,955, 40,099; *Mazharul Haque*, 40,483; *Kershaw*, 40,744, 40,912–21.
Conditions satisfactory, *Oldham* - - - 39,695
Executive Branch (*see under* Executive Branch, P.C.S.).
Higher standard of efficiency in higher grade, advocated, *Rama Ballabh Misra* - 40,409–12
Judicial Branch (*see under* Judicial Branch, P.C.S.).
Number of officers passed over, *Le Mesurier* 38,169–70
OFFICIATING:
Advocated, if time-scale not introduced, *Ali Ahmad* 38,761
not Advocated, *Le Mesurier*, 38,067; *Kershaw*, 40,744.
no Alteration recommended, *Oldham* - 39,702
more Rigorous system of selection advised, *Kingsford* 39,257
Senior men, question of, if young men selected and sent home to train for district charges and of effect on work, *Mullick* - - - - 41,876–9
by Seniority and then selection suitable, *Kershaw* 40,739
System suitable, *Le Mesurier* - - - 38,066
Time scale (*see under* Pay).

Provident Fund:
Admission of members of I.C.S. to, suggested after abolition of 4 per cent. annuity deduction, *Le Mesurier*, 38,031; *Kershaw*, 40,725, 40,801–3.
Compulsory subscription for married officers advocated, *Rama Ballabh Misra* - 40,279, 40,321–4
Compulsory subscriptions for member of P.C.S., question of, *Kershaw* - - - 40,874–5, 40,898–903
Contribution may be made compulsory when pay of P.C.S. increased, *Ali Ahmad* - - - 38,779
no Further facilities required for P.C.S. and statutory civilians, *Le Mesurier* - - 38,042, 38,082
Officers of P.C.S. entitled to subscribe to, and rates of subscriptions, *Kershaw* - - 40,735, 40,757
Proportion of officers contributing, *Rama Ballabh Misra* - - - - - - - 40,323
Number of subscribers in P.C.S., and facilities sufficient, *Le Mesurier* - - - - 38,082

Provincial Civil Service:
Amalgamation of Subordinate Service with (*see under* Subordinate Service).
Character and ability improving, and increasingly qualified set of men being attracted, *Ali Ahmad* 38,830–1
Classes of officers and appointments, no change necessary, *Le Mesurier*, 38,054; *Kingsford*, 39,316–8; *Mullick*, 41,772(*f*).
Communal representation, importance of, *Ali Ahmad* 38,796–8
DESIGNATION:
Approved, *Le Mesurier*, 38,063; *Oldham*, 39,699; *Rama Ballabh Misra*, 40,261; *Mazharul Haque*, 40,481; *Jameson*, 41,228; *Mullick*, 41,772(*m*).

Provincial Civil Service—*continued.*
DESIGNATION—*continued.*
after Name of province suggested, *Ali Ahmad*, 38,757; *Krishna Sahay*, 40,152; *Sinha*, 40,997; *Fakhr-ud-din*, 41,383.
Objections to, in some quarters, *Madhu Sudan Das* 39,113
might Eventually take place of I.C.S., *Mullick* 41,880
High opinion of capacity and work of members, *Campbell*, 38,960; *Hasan Imam*, 41,685–6.
Higher grade, direct appointments to, undesirable, *Rama Ballabh Misra* - - - - 40,254
Improvement of pay and prospects desirable, *Ali Ahmad*, 38,760; *Madhu Sudan Das*, 39,111; *Kershaw*, 40,675, 40,731, 40,743–4, 40,764, 40,776, 40,851, 40,884, 40,910–1.
Listed posts (*see that title*).
Officiating appointments, numbers selected for, and distribution by race, *Le Mesurier* - - 38,047
ORGANISATION:
Cadre:
Composition of, as regards race, *Le Mesurier* 38,047, 38,050
Increase of, necessary, *Ali Ahmad*, 38,749; *Oldham*, 39,603, 39,714, 39,735–6, 39,957–8, 40,092–7; *Rama Ballabh Misra*, 40,313–6; *Fakhr-ud-din*, 41,381, 41,433–5; *Mullick*, 41,857–9.
Statement in appendix correct, *Ali Ahmad* 38,742
Strength of:
Method of fixing satisfactory, *Le Mesurier*, 38,058; *Mullick*, 41,772(*g*).
Present, *Le Mesurier* - 38,046, 38,065
Satisfactory, *Le Mesurier*, 38,055; *Mullick*, 41,772(*g*).
Regrading suggested, *Kingsford*, 39,470; *Oldham*, 39,736–8, 39,812–3, 39,855, 40,099.
Satisfactory, subject to certain alterations, *Le Mesurier*, 38,083; *Oldham*, 39,713; *Krishna Sahay*, 40,157; *Sinha*, 41,003; *Fakhr-ud-din*, 41,389; *Mullick*, 41,780.
Uniform grading in judicial and executive services desirable, *Madhu Sudan Das* - - 39,115
Promotion to I.C.S. of selected officers approved, *Filgate* - - - - - - - 39,498
Recruitment from, for I.C.S. (*see under* Recruitment, I.C.S.).
(*see also* Conditions of Service, Leave, Pay, &c.)

Provincial services, manned mainly by Indians, not natives of the province, *Le Mesurier* - - 37,961

Public Prosecutor:
Combined with Government pleaders in some districts, not in all, and comparison of position, &c., *Ali Ahmad* - - - - - 38,887–93
Duties, functions, and pay, *Rainy* - 38,439–41, 38,525–31
Fees, increase, *Ali Ahmad* - - - 38,760
usually Government pleaders also, *Rainy* - 38,523
Government pleader with large mufassal criminal practice might refuse appointment as, *Rainy* 38,610–2
Necessity for consulting, *Rama Ballabh Misra* 40,383–6
Selection of district and sessions judges from, question of, *Rainy* - - 38,442, 38,532–3

Public Service Commission, 1886–87, principle recommended by, approved, *Jameson* - - - 41,229

Public Works Department, time-scale in force and works well, *Le Mesurier* - - - - 38,016

R.

Rainy, George, I.C.S., evidence of - 38,381–38,679

Rameshwar Singh, Maharaja Bahadur Sir, of Darbhanga, opinion that probation in England of Indians after selection by nomination should be optional, *Le Mesurier* - - - 37,941, 38,361–3

Recruitment, I.C.S.:

AGE OF ARRIVAL IN INDIA:

21 advised, *Filgate* - - - - 39,585–6

22 advocated, *Oldham*, 39,611, 39,614, 39,720, 40,024–6, 41,707; *Mullick*, 41,811–7, 41,910, 41,940–6, 41,957–60.

22–23 advocated, *Rainy*, 38,389, 38,450, 38,457–9; *Kingsford*, 39,235; *Kershaw*, 40,677–9, 40,766–7, 40,866–7.

22–24 advocated, *Le Mesurier* - 37,946, 37,949

23–25 most suitable, *Campbell*, 38,923; *Filgate*, 39,502, 39,561–1.

24 advocated, *Rama Ballabh Misra* - - 40,244

24 or 25 advocated, *Ali Ahmad*, 38,694; *Sinha*, 40,958, 41,136, 41,155–6; *Jameson*, 41,202; *Hasan Imam*, 41,523.

25 advocated, *Krishna Sahay*, 40,118; *Mazharul Haque*, 40,450; *Sinha*, 40,958, 41,118–21, 41,133–6, 41,155–6; *Fakhr-ud-din*, 41,353.

Annual indent, method of regulating, and system satisfactory, *Le Mesurier* - - - - 38,002

Annual rate, *Oldham* - - - - - 39,787

CLASS REPRESENTATION:

not Advocated, *Krishna Sahay*, 40,112; *Mazharul Haque*, 40,444, 40,488, 40,530–4; *Jameson*, 41,198; *Hasan Imam*, 41,607–16; *Mullick*, 41,702.

Advised, as far as practicable, *Ali Ahmad*, 38,687; *Oldham*, 39,606, 39,902–10; *Fakhr-ud-din*, 41,341, 41,347, 41,395–419.

Question does not arise, *Sinha* - - - 40,952

COMPETITIVE EXAMINATION:

safe Principle, *Madhu Sudan Das*, 39,081, 39,174–5; *Mazharul Haque*, 40,437.

Preferred, *Mullick* - 41,702, 41,935, 42,007–15

Satisfactory test and value of, *Rama Ballabh Misra* 40,359–64

best Suited to needs of service, and no other scheme would work better or equally well, although all required qualifications not tested by, *Rainy* 38,381, 38,572–4

Differentiation for Indians not advocated, *Filgate*, 39,498; *Oldham*, 39,600.

Dismissal after 4 years' service, if unsuitable, advocated, *Filgate*, 39,495; *Jameson*, 41,193, 41,198, 41,252–6.

Element of selection preferred to open competition, but practical difficulties too great, *Rama Ballabh Misra* - - - - - - - - 40,235

European recruits, question of effect of increasing listed posts and recruiting judicial branch from bar, *Fakhr-ud-din* - - - - - 41,454–62

First-class passage to India suggested for young civilians, *Le Mesurier*, 37,971; *Oldham*, 39,632; *Kershaw*, 40,692.

IN INDIA:

not Advised, *Campbell*, 38,919, 38,927, 38,950–1; *Oldham*, 39,606.

by Competitive examination, unsuitability of, *Le Mesurier* - - - - 37,940, 38,104

should be in Lieu of listed post system, *Ali Ahmad* 38,689, 38,788–92

Men recruited in India as efficient for administering Indian district as men educated in England, *Rama Ballabh Misra* - 40,297–301

by Nomination:

Advocated for some candidates, *Fakhr-ud-din* 41,450

Schemes, *Le Mesurier*, 37,938, 37,941, 38,095–108, 38,172–81, 38,271–87, 38,340–3, 38,359–60, 38,364; *Ali Ahmad*, 38,687, 38,786, 38,793–5; *Jameson*, 41,197–8, 41,193–4, 41,242–4.

Nomination and competitive examination advocated, and scheme, *Filgate*, 39,495, 39,498, 39,534–8; *Fakhr-ud-din*, 41,341, 41,347, 41,393–419, 41,487.

no Objection to, if education and training in England prior to entry to service arranged for, *Campbell* - - - - - 38,952–4

Proportion of Indians appointed in England and India should not exceed one fourth, *Ali Ahmad* 38,688, 38,787

Recruitment, I.C.S.—*continued.*

IN INDIA—*continued.*

Selection of men with University Honours degrees and subsequent probation in England, men would be regarded as separate class, *Rainy* 38,601

Special arrangements objected to, *Campbell* 38,927

Special college for promising Indians nominated in provinces and admission of best pupils to open competitive examination in England, scheme, *Oldham* 39,599, 39,621, 39,721–32, 39,780–4, 39,814–7, 39,825–30, 39,862–3, 39,891–3, 39,902–6, 39,930–46, 39,987–40,006, 40,017–22

should be Supplementary to listed posts system, *Le Mesurier* - - - - 37,943, 38,109

Supplementary to system of listed posts not advised, *Oldham*, 39,608; *Krishna Sahay*, 40,114; *Mazharul Haque*, 40,446; *Sinha*, 40,954.

INDIANS:

no Alteration proposed except reduction of age, *Mullick* - - - - - - 41,901–10

most Brilliant men not always required, *Rama Ballabh Misra* - 40,239, 40,255–8, 40,367–72

Competitive examination in India followed by university course in England, not advocated, *Oldham* - - - - - 39,727, 39,729–32

Competition among nominated candidates not advocated, *Kershaw* - - - - 40,770

no Desire for exclusion, but fair chance to both nations, *Jameson* - - - - 41,274–8

Effect of earlier age, particulars *re* number of entrants, *Mullick* - - - - 41,815–8

Increase up to 30 per cent. advocated and reasons, and considerations to be kept in mind, *Rama Ballabh Misra* - - - 40,239, 40,295

Indians of great distinction not likely to be willing to enter I.C.S., *Kingsford*, 39,390–1; *Kershaw*, 40,848–52.

by Nomination, or nomination and examination, not approved, *Mazharul Haque*, 40,444; *Kershaw*, 40,675.

only by Nomination combined with competitive examination in England, and promotion of selected men from P.C.S. advised, *Filgate* 39,498, 39,500

no Objections to, or to class recruited, but new arrangements necessary before increasing number, *Campbell* - - - - 38,956–8

Open competition preferred to present system, *Sinha* - - - - - - - 40,964

Parents might be encouraged to send children home at early age if training looked after by some authority, and question of probability, *Kingsford* - - - 39,239, 39,278, 39,334

Present system suitable, *Le Mesurier*, 37,955; *Ali Ahmad*, 38,701; *Kershaw*, 40,683.

Present system not approved, *Krishna Sahay*, 40,124; *Mazharul Haque*, 40,456.

Restriction to residents not so necessary as in P.C.S., *Krishna Sahay*, 40,186–200; *Hasan Imam*, 41,569–72.

Question of, *Le Mesurier* - - - 38,255–7

Principle satisfactory, but does not always work satisfactorily, *Madhu Sudan Das*, 39,090; *Oldham*, 39,621.

from P.C.S:

Advocated, *Mullick* - - - 41,792–8

not Advocated, *Kershaw* - - - - 40,847

Preferred to direct recruitment, and scheme, *Kingsford*, 39,311–8; *Mullick*, 41,807–10, 41,815–6, 41,874, 41,792–8.

by Rigorous system of selection, and scheme of admission of exceptionally qualified junior officers after training in England suggested, *Kingsford* - - - - 39,256, 39,311–5

Selection by local government of 5 per cent. from other services advocated, *Mullick* - - 41,717

Selection at early age, and education in England suggested, *Madhu Sudan Das* - 39,180–4

Recruitment, I.C.S.—*continued.*
INDIANS—*continued.*
Supplementary examination in India with condition of subsequent training at University in England not advocated, *Kingsford* - - 39,273–5
Training of young men at home and district appointments on return advocated, *Mullick* 41,874–6
Monopoly of one race, opposition would be keenly felt, *Le Mesurier* - - - - - 38,239
Nomination or nomination and examination objected to, *Rainy* - - - - - - - - 38,385
Open competition combined with selection by board of commissioners advised, and considerations necessary, *Oldham* - - - 39,597, 39,602
Posting of Indians to their own province on coming out not necessary, *Le Mesurier* - - 38,171–4
RECENT RECRUITS:
Falling off, *Oldham* - - - 39,613, 39,717
not so Large a proportion from better known public schools and universities or honours men, but standard suitable, and no general falling off, *Le Mesurier* - - - - - - 37,948
Suitable, *Rainy*, 38,388; *Ali Ahmad*, 38,693.
Unfavourable comparison with Haileybury officers, *Rama Ballabh Misra* - - - - 40,243
Socially unsuitable candidates, means desirable for weeding out, *Le Mesurier* - - - - 37,938
Touting, cases known, and question of remedy, *Mullick* - - - - - - - 41,832–4
no Touting, *Mullick* - - - - - 41,830–1
Vested interests, question of, if listed posts increased, *Kershaw* - - - - - 40,772–3

Recruitment, P.C.S.:
CLASS REPRESENTATION:
not Advocated, *Hasan Imam*, 41,616–21; *Mullick*, 41,772 (*c*), 41,854–5.
Arrangement suggested to secure ablest man of class, *Madhu Sudan Das* - - - 39,137
all Classes and communities not yet duly represented, but need for, *Le Mesurier*, 38,051; *Ali Ahmad*, 38,745, 38,909–12; *Oldham*, 39,687, 39,690, 40,065–85; *Krishna Sahay*, 40,147, 40,149; *Sinha*, 40,991, 40,993, 41,041.
Desirable, *Kershaw* - - - - - 40,738
Nominations to small extent to secure, advocated, *Rama Ballabh Misra* - - 40,254, 40,256
Combination of nomination, examination, and promotion from subordinate service, scheme advocated, *Kershaw* - - - - - - 40,737, 40,806
Combined system of competitive examination and selection advocated, *Madhu Sudan Das* 39,107, 39,135–8
Conditions generally suitable, *Le Mesurier*, 38,044, 38,049; *Ali Ahmad*, 38,740, 38,741; *Oldham*, 39,686; *Krishna Sahay*, 40,146; *Rama Ballabh Misra*, 40,253; *Mazharul Haque*, 40,477; *Kershaw*, 40,736; *Sinha*, 40,990; *Hasan Imam*, 41,549.
Executive Branch (*see under* Executive Branch, P.C.S.).
Indians failing to pass I.C.S. examination might be drafted into P.C.S., with safeguards, *Filgate*, 39,524, 39,591–2; *Oldham*, 39,599, 39,864–5, 40,023.
Judicial Branch (*see under* Judicial Branch, P.C.S.).
no Natural-born subjects of His Majesty other than Natives of India recruited, *Le Mesurier* - 38,048
NOMINATION:
not Approved, and objections, *Mazharul Haque* 40,444, 40,490–2
not Approved, but selection by Selection Board advocated till more universities, *Mullick* - 41,771
Claims of various communities and sects reconciled by, and impetus given for higher education to backward communities, *Ali Ahmad* - 38,743
Competition preferred, and rejection of unfit necessary, and a few nominations to secure class representation, *Rama Ballabh Misra* 40,254, 40,330–2, 40,363–5
Dissatisfaction *re*, widespread, *Oldham* 39,687, 39,802
in Division or district by officials or disinterested non-official men, *Madhu Sudan Das* - 39,135
subject to possession of good university degree, preferable to combined nomination and examination, *Le Mesurier* - - - - - 38,049

Recruitment, P.C.S.—*continued.*
NOMINATION—*continued.*
more Suitable than competition, *Oldham* - 39,688
Working well, and change not advocated in present condition of India, *Ali Ahmad* - - 38,743
OPEN COMPETITION:
Advocated, with a few cases of nomination, *Krishna Sahay* - - - - - - 40,147, 40,170
Objections to, *Le Mesurier*, 38,049; *Oldham*, 39,603.
Preferred to nomination, and details *re* scheme, *Sinha*, 40,991, 41,041–2, 41,160–8; *Mullick*, 41,935.
among Residents of province advocated, and explanation *re* classes, *Sinha* - - 41,160–8
One year's practice as pleader or advocate should be considered in special cases, *Ali Ahmad* - 38,740
by Promotion from Subordinate Service, abolition not advocated, *Krishna Sahay* - - 40,171–2
Raising of preliminary standard from B.A. to B.L. degree advocated, *Madhu Sudan Das*; - 39,107
Recruits by competition better than men nominated, *Rama Ballabh Misra* - - - 40,403
Reservation of certain number of appointments by nomination and rest by competition advocated, *Hasan Imam* - 41,550, 41,579, 41,616, 41,620
RESTRICTION TO RESIDENTS OF PROVINCE:
Advocated, and reasons, *Ali Ahmad*, 38,744; *Campbell*, 38,933; *Madhu Sudan Das*, 39,108; *Oldham*, 39,689; *Krishna Sahay*, 40,148, 40,182–200; *Rama Ballabh Misra*, 40,255; *Mazharul Haque*, 40,479, 40,504–5, 40,507; *Sinha* [illegible] 41,044–7; *Jameson*, 41,226; *Fakir* [illegible] 41,379; *Hasan Imam*, 41,551, 41,571–2.
not Advocated, efficiency should be main consideration, *Mullick* - 41,772(*b*), 41,854–6
Rules same as were in force in Bengal, *Le Mesurier* - - - - - 38,047
Separate examination preferred to selection from university class lists, *Rama Ballabh Misra* 40,331

Registrar, officer to combine post of inspecting-judge and, suggested, *Mullick* 41,743, 41,772(*h*), 41,860–2, 41,961–9

Registrarship in Secretariat, opening of, to P.C.S. advocated, and remarks *re* as training for secretariat, *Oldham* - - - - 39,693, 39,803, 40,098

Registration, Inspector-General of, listing of post advocated, *Rama Ballabh Misra*, 40,248; *Sinha*, 40,971.

Reservation of appointments to I.C.S. (*see* Statutory Regulations).

Residences, official, provision for officers holding higher appointments advised, *Oldham* - - - 39,685

Residents, 1st class, special pension of 1,200*l.* after 5 years' service advocated, *Le Mesurier* - - 38,034

Retirement, I.C.S.:
Compulsory at 55, optional after 25 years' service but, advocated, *Rama Ballabh Misra* - - 40,278
Compulsory, on account of inefficiency, advocated, *Rainy*, 38,416; *Kingsford*, 39,253; *Oldham*, 39,654, 39,679; *Kershaw*, 40,728; *Mullick*, 41,762.
Voluntary or compulsory, views expressed in letter from I.C.S. Association, Bengal branch, *Kingsford* 39,254

Retirement, P.C.S.:
COMPULSORY:
at 55, should be rigidly enforced, *Ali Ahmad* 38,778
for Inefficiency advocated, *Le Mesurier*, 38,060; *Oldham*, 39,695, 39,711; *Kershaw*, 40,739.
Rules suitable, *Le Mesurier*, 38,081; *Ali Ahmad*, 38,778; *Kershaw*, 40,756.

Revenue:
Board of, *see* Board of Revenue.
Courts, work done in Bengal by civil courts done by, in Orissa, *Madhu Sudan Das* - 39,142–3
Officers, tours in mufassal intermittent, and average number of days, *Le Mesurier* 37,984, 38,128–9
Work nearly all done from headquarters, *Rainy* 38,639–40

S.

Sachchidananda Sinha, evidence of - 40,945–1191

Sahay, Krishna, evidence of - - - 40,105–234

Salary (*see* Pay).

Sanskrit (*see under* Syllabus *under* Indian Civil Service Examination).

Savings Bank, deposits, maximum amount admissible should be increased, *Ali Ahmad* - - - 38,779

Scholarships:
- Advocated, with restrictions, and details, *Kingsford*, 39,239, 39,262–9, 39,272, 39,334, 39,404–8; *Filgate*, 39,495, 39,539–42, 39,574–7, *Kershaw*, 40,848; *Jameson*, 41,193–4, 41,257–60.
- Advocated if simultaneous examination not accepted but not preferred, *Hasan Imam* 41,531, 41,563–6, 41,668, 41,678
- Age limit, question of, and public school education by, desirable but probably too expensive, *Hasan Imam* - - - - - - 41,660–2
- Extension, question of, *Le Mesurier* - 38,231–3
- Number, allotment, qualifications, &c., *Hasan Imam* 41,663–6
- Number to be given would have to be defined, *Rainy* 38,429
- Preferred to college in India, *Sinha* - 41,158–9
- Scheme satisfactory, but simultaneous examination preferred, except in view of cost, *Sinha* 41,073–4
- Scheme, special college in India preferred to, but some advantages in, *Oldham* - - 40,020–2
- Special college in India, no objections to, *Oldham* 39,944–6

Secretaries:
- Charge allowance under time-scale, *Kershaw* - 40,712
- CHIEF:
  - Fixed rates for appointment if time-scale adopted, *Kershaw* - - - - - - 40,712
  - Listing of one post advocated, *Rama Ballabh Misra* 40,248
  - Pay on the 1st April, 1912, *Le Mesurier* - 38,006–7
  - special Pension after five years' service advocated, *Le Mesurier* - - - - - - 38,034
  - should be Eliminated from schedule of reserved posts, *Fakhr-ud-din* - - - - - 41,357
- JUNIOR, local allowance of Rs. 250 per mensem advocated, *Le Mesurier* - - - - 38,020
- as Listed posts, suggested, *Krishna Sahay*, 40,131; *Fakhr-ud-din*, 41,364.
- to Local Government, one listed post advocated, *Mazharul Haque* - - - 40,463, 40,605
- UNDER:
  - Charge allowance under time-scale, *Kershaw* 40,712
  - Number and pay, *Le Mesurier* - 37,992, 38,007

Separate examination:
- would be Accepted if present system given up, examination to be held in each province and proportion to be not more than one fourth, and not less than one sixth, *Ali Ahmad* - - - 38,686
- Advocated for groups of provinces by rotation, and same standard as in England, but slight difference in subjects, and scheme, *Rama Ballabh Misra* 40,239, 40,290–303, 40,399–402
- not Advocated, *Le Mesurier*, 37,940; *Rainy*, 38,385, 38,424–5, 38,430–5, 38,622–3; *Campbell*, 38,919, 38,921; *Madhu Sudan Das*, 39,084; *Kingsford*, 39,231; *Filgate*, 39,498; *Oldham*, 39,605, 40,007–8; *Krishna Sahay*, 40,111; *Mazharul Haque*, 40,443; *Kershaw*, 40,674, 40,764; *Sinha*, 40,951; *Jameson*, 41,197; *Fakhr-ud-din*, 41,346, 41,425; *Hasan Imam*, 41,519.
- Indians should still be eligible for appointment in England, *Rama Ballabh Misra* - - - 40,239
- Opposed in principle, but would be accepted, *Sinha* 41,012–7

Sessions divisions, grouping of more than one district unsatisfactory, *Mullick* - - - - - 41,770

Sessions judges (*see* Judges, District and Sessions).

Settlement cases, direct dealing with officer and people the most satisfactory, *Rama Ballabh Misra* 40,368

Settlement officers:
- Assistant, training as, advocated, *Mullick* 41,735
- Duties and work of, *Kingsford* - - 39,436–40
- Listing of post advocated, *Rama Ballabh Misra* 40,248
- Litigation caused by decisions of, *Madhu Sudan Das* 39,171
- Unpopular as judges, *Mazharul Haque* 40,577–9, 40,612–5

Settlement work, advantage of training, *Oldham*, 39,646; *Mullick*, 41,739, 41,828–9.

Simultaneous examinations:
- Advocated, and details, *Krishna Sahay*, 40,106–7, 40,110, 40,124, 40,160–5; *Mazharul Haque*, 40,438–9, 40,442, 40,603; *Sinha*, 40,946, 40,949–50, 40,952, 40,964, 41,007, 41,073, 41,109; *Fakhr-ud-din*, 41,341, 41,345, 41,347, 41,393–419, 41,451; *Hasan Imam*, 41,517–8 41,564–8, 41,639–45, 41,672–9.
- not Advocated, *Le Mesurier*, 37,939, 38,357–8; *Ali Ahmad*, 38,384, 38,684–5; *Rainy*, 38,384; *Campbell*, 38,918–9; *Madhu Sudan Das*, 39,083, 39,120–2; *Kingsford*, 39,230; *Filgate*, 39,497, 39,499; *Oldham*, 39,603–4, 39,894–901; *Kershaw*, 40,673, 40,764; *Jameson*, 41,196; *Mullick*, 41,699–700, 41,787–91, 41,899, 41,901.
- Class representation, fairly representative result expected, *Sinha* - - - 40,952, 41,106–9
- Cost, and scholarships preferable in view of, *Sinha* 41,075–80
- Cramming institutions will result, *Le Mesurier*, 37,939; *Rainy*, 38,384.
- Declaration of vacancies and procedure *re* appointments, question of, *Sinha* - - - 41,100–4,
- EUROPEAN ELEMENT:
  - Effect on recruitment of, *Sinha* 40,963, 41,008–11, 41,107
  - Question of minimum proportion of, bound to arise, and difficulties of, *Kingsford* - - 39,230
  - Standard of, would be lowered, *Le Mesurier* 37,939
  - Examination difficulties, *Oldham*, 39,603; *Hasan Imam*, 41,645.
  - Fixing of proportion, grievance would be felt, *Rainy* 38,384
  - in Future advocated, but not as next step, *Rama Ballabh Misra* - - - - 40,239, 40,289
  - large Indian element not probable at first, *Krishna Sahay*, 40,162–5; *Mazharul Haque*, 40,496–8; *Hasan Imam*, 41,564–6.
  - Indian schools and universities do not at present promote training of body and character to same extent as English, *Rainy* - - - - 38,384
  - Indians passing in India would be regarded as belonging to different class in service, *Rainy* 38,384
  - Indians should still be eligible for appointment in England, *Le Mesurier*, 37,942; *Ali Ahmad*, 38,688; *Oldham*, 39,607; *Krishna Sahay*, 40,113; *Mazharul Haque*, 40,445; *Sinha*, 40,953; *Fakhr-ud-din*, 41,348.
  - Number of posts probable for Indians under, *Sinha* 41,146–8
  - Oral examination difficulty, *Le Mesurier*, 37,939; *Kingsford*, 39,230.
  - Preferred to scholarships, but less probable, *Sinha*, 41,158–9; *Hasan Imam*, 41,668, 41,678.
  - Preponderance of appointments might fall to particular races and classes, *Oldham* - - 39,603
  - Probability of service being officered mainly by Indians, *Kingsford* - - - - - 39,230
  - Probation after, suggestions *re*, *Hasan Imam* 41,593–9
  - Standard of Service would be lowered, *Oldham* 39,603

Sinha, Sachchidananda, evidence of- 40,945–41,191

Small Cause Court, judgeship, Provincial Civil Servant formerly held post of, *Ali Ahmad* - 38,760, 38,863–9

Special leave (*see under* Leave).

Statutory Civilians:
- Abolished without sufficient trial, *Ali Ahmad* 38,681
- Pensions, system suitable, *Le Mesurier*, 38,037; *Kershaw*, 40,730.

Statutory Civilians—*continued.*
were not Regarded as being entirely on same footing as members of I.C.S., *Rainy* - 38,385, 38,433
Revival of system not advocated, *Ali Ahmad*, 38,703; *Filgate*, 39,506; *Oldham*, 39,622; *Krishna Sahay*, 40,125; *Mazharul Haque*, 40,457; *Kershaw*, 40,884–91; *Sinha*, 40,965; *Jameson*, 41,208; *Fakhr-ud-din*, 41,360; *Hasan Imam*, 41,528; *Mullick*, 41,714–5.
Revival desirable in so far as proposed system of nomination resembles, *Le Mesurier* - - 37,957

Statutory Regulations:
RESERVATION TO I.C.S. OF CERTAIN POSTS:
Approved, *Le Mesurier*, 37,953; *Campbell*, 38,925, 39,015; *Madhu Sudan Das*, 39,088; *Kershaw*, 40,681; *Sinha*, 40,962; *Mullick*, 41,712.
Approved, of executive posts, but not judicial posts, *Krishna Sahay* - - - - 40,122
Approved, but "salt agents" and "controller of salt choukies" might be omitted, *Oldham* 39,619
not Approved, *Filgate*, 39,504; *Mazharul Haque*, 40,454; *Jameson*, 41,206.
District judgeship and secretaryship should be eliminated, *Fakhr-ud-din* - - - 41,357
Higher posts should be reserved, *Jameson* - 41,207

Sub-divisional Officers:
Charge allowance proposed under time-scale, *Kershaw* - 40,712, 40,745, 40,810–1, 40,926–32
have Houses rent free, *Le Mesurier* - 38,226–8
little Revenue work done by, *Rainy* - - 38,640
Special allowances advocated, *Rama Ballabh Misra* 40,263, 40,312
Touring, length of time on, &c., *Rainy* 38,641–3
Visits to headquarters, *Rainy* - - - 38,644

Subordinate Civil Service:
Amalgamation with P.C.S. advocated, *Rainy*, 38,420; *Oldham*, 39,714, 39,759–60, 39,805–6; *Rama Ballabh Misra*, 40,317–20, 40,414–20; *Mazharul Haque*, 40,483, 40,509–11; *Fakhr-ud-din*, 41,389, 41,432; *Sinha*, 41,169–70.
Division of cadre, complaints, *Oldham* - 39,953–4
Increase in number of officers necessary, *Oldham* 39,603
Overworked and amalgamation with P.C.S. would not relieve congestion of either, *Rama Ballabh Misra* - - - - - - 40,414
Promotion to P.C.S. from, not objected to, *Fakhr-ud-din* - - - - - - - - 41,431
Recruitment, method of, *Le Mesurier* 38,221, 38,224–6
Recruitment, rules, *Le Mesurier* - - p. 23–4

Superintendent of Police (*see under* Police).

Superior Posts (*see under* Conditions of Service, I.C.S.).

T.

Time-scales (*see under* Pay).

Training, I.C.S.:
DIFFERENTIATION BETWEEN PERSONS OF MIXED AND UNMIXED DESCENT:
Domiciled Europeans should be treated as English and particular cases of mixed descent treated separately, *Sinha* - - - 40,983, 41,111–7
not Necessary, *Ali Ahmad*, 38,736; *Oldham*, 39,651; *Krishna Sahay*, 40,143; *Mazharul Haque*, 40,473; *Jameson*, 41,224; *Fakhr-ud-din*, 41,375; *Hasan Imam*, 41,545.
IN ENGLAND:
Advisable, *Filgate*, 39,497; *Sinha*, 41,158–9; *Mullick*, 41,789–90, 41,798–806, 41,885–91.
Becoming more general, *Oldham* - - 39,611
British University education should be insisted on for all candidates, *Jameson* - - - 41,196
at Early age, advised, *Kingsford*, 39,399–401, 39,407; *Mullick*, 41,705, 41,804, 41,818–27, 41,881–4, 41,896, 41,943–55.
at English public school preferred, *Jameson*, 41,239; *Hasan Imam*, 41,661–2.
Less difficulty now for Indians, *Mullick* - - 41,818, 41,827, 41,952
Longer and earlier, advocated, *Kingsford* 39,239, 39,263–9, 39,331–8
Necessary for Indians, *Kershaw* 40,659, 40,783
Objections on part of some people not anticipated, *Mullick* - - - - - 41,871–3

Training, I.C.S.—*continued.*
IN ENGLAND—*continued.*
Three years at a British University before entering for competitive examination, suggested, *Filgate*, 39,495; *Jameson*, 41,193, 41,198, 41,240.
at Universities, advantages, *Mullick* - - 41,731
of Young officers under 30, course advised, *Mullick* - - - - - - - 41,864–70
Progressive course identical for both branches, *Kingsford* - - - - - - 39,284–5
Rules, for judicial and revenue work - p. 283–4
AFTER TAKING UP APPOINTMENT:
no Alteration suggested, *Jameson* - - 41,219
no Arrangement known of, *Ali Ahmad* - 38,727
as Assistant magistrate necessary, *Jameson* 41,266
under Collector, compared with probation in college in India, *Madhu Sudan Das* - 39,210
Colloquial examination, success of stiffening, *Le Mesurier* - - - - - 38,207–8
Confidential reports sent to Government by collectors, *Le Mesurier* - - - - 38,204–6
Definite and specific, advocated, and might do instead of probation in India, *Sinha* - 41,033
Departmental examinations:
Bengal system, abuse of, *Oldham* - - 39,643
Defects, and suggested alterations, *Rainy*, 38,398–9; *Oldham*, 39,643, 39,692.
Language and Indian history advocated, *Mullick* 41,706
Rules, *Le Mesurier* - - 37,984, p. 284–91
System suitable, *Ali Ahmad*, 38,728; *Kershaw*, 40,702; *Mullick*, 41,772(e).
Urdu, question as to inclusion of, *Le Mesurier* 38,321–30
Vernacular advocated as sole compulsory subject, but with higher standard, *Mullick* 41,735, 41,737
Differentiation for Indians not necessary, *Le Mesurier*, 37,988; *Ali Ahmad*, 38,733; *Filgate*, 39,520; *Oldham*, 39,650; *Krishna Sahay*, 40,142; *Kershaw*, 40,703; *Sinha*, 40,982–3; *Jameson*, 41,223; *Fakhr-ud-din*, 41,374; *Mullick*, 41,740.
in Districts under selected collectors preferred, *Le Mesurier* - - - - - - 37,977
Four years' district work and six months' settlement, and scheme, *Mullick* - - - 41,739
High standard believed to be kept up in practice, *Le Mesurier* - - - - - - 38,122
Junior civilians after completing settlement training, generally posted to sub-divisions after about 18 months' service, *Le Mesurier* - - 37,998
Officers to give training carefully selected, *Le Mesurier* - - - - - - 38,126
Percentage allowed for, no alteration necessary, *Le Mesurier* - - - - - - 37,998
Period should be increased to two years if possible, *Rainy* - - - 38,398, 38,461, 38,466–7
Present system satisfactory if previous training according to scheme, *Filgate* - - - 39,516
at Provincial centre under civilian specially selected, preferred to central college, *Oldham* 39,638
Rules, *Le Mesurier* - - - - 37,983, p. 283–4
in Rural districts the most suitable, *Le Mesurier* 38,123
Satisfactory, *Kershaw*, 40,701, 40,704; *Mullick*, 41,735.
Scheme, *Le Mesurier* - - - - - - 37,985
Second year at headquarters suggested, *Rainy* 38,637–40
under Selected District Officers, advocated, *Hasan Imam* - - - - - - - - 41,538
System, *Le Mesurier* - - - - - - 37,982
no System known, *Madhu Sudan Das* 39,101, 39,190
more Systematic method necessary, and special subjects should be studied and examinations held, *Sinha* - - - - - - - 40,977
Unsatisfactory, and suggestions, *Rainy*, 38,398, 38,460–70; *Madhu Sudan Das*, 39,101; *Oldham*, 39,642, 39,783–92; *Mazharul Haque*, 40,467, 40,470; *Fakhr-ud-din*, 41,369; *Hasan Imam*, 41,540.
Young civilians very generally live with collectors, but not always, *Le Mesurier* - - 38,124–5

Training, P.C.S.:
Arrangements satisfactory, *Oldham*, 39,691; *Mazharul Haque*, 40,480; *Sinha*, 40,994; *Krishna Sahay*, 40,150; *Mullick*, 41,772.
Choice of station by Government suggested, *Rama Ballabh Misra* - - - - - - 40,256
Executive Branch (*see under* Executive Branch, P.C.S.).
Judicial Branch (*see under* Judicial Branch, P.C.S.).
no Reserve, *Le Mesurier* - - - - 38,057
no Reserve needed, *Ali Ahmad* - - - 38,751

Transfer of cases where prosecution sanctioned by District Magistrate, probably from a desire to prolong case, *Kingsford* - - - 39,381–2, 39,385–7

Transfers:
Difficulty *re*, might be met by appointing more frequently senior P.C.S. officer to act in short vacancies, *Oldham* - - - - - 39,670
EXCESSIVE NUMBER:
Causes, *Oldham* - - - - - 39,671
Question of leave rules as contributory cause, *Rama Ballabh Misra* - - - 40,272
less Frequent since Decentralisation Commission, *Campbell* - - - - - - - 39,052
too Frequent, and consequent deterioration in knowledge of vernacular, *Kingsford* - 39,244
Travelling allowances (*see under* Pay).
before Three years' service in post, if for no fault expenses should be paid to officer, *Oldham* 39,685, 39,714, 40,046

Transfers, P.C.S.:
Leave rules do not cause, *Kershaw* - 40,751
Payment of expenses in certain cases advised, *Oldham* - - - - - - - 39,714

Travelling allowances (*see under* Pay).

U.

Under-Secretaries (*see under* Secretaries).

University men, Indian, question of success in after-life, *Hasan Imam* - - - - - - 41,659

Uriyas, number in service, *Le Mesurier* 38,047, 38,050

V.

Vakils, recruitment of district and sessions judges from, advocated, *Sinha* 40,955, 40,979–80, 41,018–25

Vernaculars (and Oriental languages):
Colloquial knowledge can be acquired only in India, book knowledge best in England, *Rainy*, 38,394, 38,580–2; *Madhu Sudan Das*, 39,208–9.

Vernaculars (and Oriental languages)—*continued.*
DETERIORATION IN KNOWLEDGE OF, BY EUROPEANS:
Causes, *Le Mesurier*, 37,984, 38,127–9; *Rainy*, 38,399; *Ali Ahmad*, 38,729; *Campbell*, 38,932, 38,968–70, 38,996–9003; *Madhu Sudan Das*, 39,102; *Kingsford*, 39,244; *Oldham*, 39,644; *Krishna Sahay*, 40,138; *Sinha*, 40,978; *Hasan Imam*, 41,541; *Mullick*, 41,737.
no Deterioration, *Filgate*, 39,517, 39,589–90; *Jameson*, 41,220.
very Few officers can speak language of villagers, *Campbell* - - - - 39,048, 39,059–62
Hindi most important, and Uriya only spoken in four districts, *Oldham* - - - - 39,794–6
Knowledge of, suggestions for improving, *Rainy*, 38,399, 38,455–6, 38,513–7; *Ali Ahmad*, 38,730; *Campbell*, 38,970–1; *Kingsford*, 39,245, 39,449–51; *Oldham*, 39,644–5; *Rama Ballabh Misra*, 40,252; *Mazharul Haque*, 40,471; *Fakhr-ud-din*, 41,370, 41,438–42; *Hasan Imam*, 41,542; *Mullick*, 41,737–8.
KNOWLEDGE OF BY I.C.S.:
Advantageous, *Filgate* - - - 39,571–3
Attainment of adequate proficiency in, suggestion, *Jameson* - - - - - - 41,220
Knowledge of language of upper classes necessary, *Oldham* - - - - - - - 39,644
Particulars *re*, and time needed to acquire knowledge of, *Campbell* - - - - - 39,041–7
PRELIMINARY TRAINING:
in England:
Advocated, *Le Mesurier* - - - 37,972
Better given, than in India, *Rainy*, 38,394, 38,580–2; *Madhu Sudan Das*, 39,205–9; *Oldham*, 39,640.
in India:
Objections to, *Ali Ahmad* - - 38,725
Possible, but not necessary, *Mullick* - 41,733
Reading of current literature by civilians very infrequent, *Rainy* - - - - 38,513–4
Special study after arrival in India advocated, *Sinha* 40,977
Superficial, and consequent disadvantages, *Rama Ballabh Misra* - - - - - - 40,252
Training necessary, and at college in India suggested, *Filgate* - - - 39,495, 39,546
(*see also under* Syllabus *under* Indian Civil Service Examination, *and under* Course of Study *under* Probation, I.C.S.)

W.

Wages, increase and causes, *Filgate* - - 39,569

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